

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature – Second Regular Session

MINUTES RECEIVED
CHIEF CLERK'S OFFICE

2-19-16

COMMITTEE ON EDUCATION

Report of Regular Meeting
Wednesday, February 17, 2016
House Hearing Room 4 -- 2:00 p.m.

Convened 4:30 p.m.

Recessed

Reconvened

Adjourned 8:25 p.m.

Members Present

Mr. Bolding
Mr. Coleman
Mrs. Norgaard
Ms. Otondo
Mr. Thorpe
Mr. Lawrence, Vice-Chairman
Mr. Boyer, Chairman

Members Absent

Agenda

Original Agenda – Attachment 1

Request to Speak

Report – Attachment 2

Presentations

<u>Name</u>	<u>Organization</u>	<u>Attachments (Handouts)</u>
Cameron Denny Representative Carter	Teacher at Paradise Honors High School	Map regarding HB2687 (3)
Representative Allen Tracy Langston	2 handouts regarding HB	Booklet for HB2665 (4) 2 handouts for HB2088 (5, 6)
Aiden Fleming	ADE	1 handout for HB2620 (7)

Committee Action

<u>Bill</u>	<u>Action</u>	<u>Vote</u>	<u>Attachments (Summaries, Amendments, Roll Call, Attendance)</u>
HB2293	HELD		
HB2687	DP	6-0-0-1	8, 9, 10
HB2665	DP	6-0-0-1	11, 12, 13
HB2548	DPA/SE	7-0-0-0	14, 15, 16, 17
HB2029	DP	7-0-0-0	18, 19, 20

COMMITTEE ON EDUCATION
Wednesday, February 17, 2016

HB2088	DPA	5-1-1-0	21, 22, 23, 24
HB2510	DISCUSSION ONLY		
HB2620	DP	7-0-0-0	25, 26, 27
HB2653	DP	7-0-0-0	28, 29, 30
HB2551	DPA	4-3-0-0	31, 32, 33, 34, 35
HB2685	DPA	6-1-0-0	36, 37, 38, 39
HB2321	DISCUSSION ONLY		

Attendance

40

Jackie O'Donnell, Chairman Assistant
Friday, February 19, 2016

(Original attachments on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

REVISED - 02/15/16

REVISED - 02/15/16

REVISED - 02/15/16

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

convened: 4:30 PM
adjourned: 8:25 PM

REGULAR MEETING AGENDA

COMMITTEE ON EDUCATION

DATE Wednesday, February 17, 2016

ROOM HHR 4

TIME 2:00 P.M.

Members:

Mr. Bolding
Mr. Coleman
Mrs. Norgaard

Ms. Otondo
Mr. Thorpe

Mr. Lawrence, Vice-Chairman
Mr. Boyer, Chairman

Teacher Introduction

Bills	Short Title	Strike Everything Title
*HB2321	<u>Discussion Only</u> pilot program; STEM internships (Meyer) ED, APPROP, RULES	
**HB2548	<u>DR/SE</u> postsecondary campuses; public forums; activities (Boyer) <u>7-0-0-0</u> ED held 0-0-0-0-0, RULES	S/E: same subject
HB2620	<u>DP</u> education; certification renewal fees (Coleman, Thorpe, Begay, et al) <u>7-0-0-0</u> ED, RULES	
HB2653	<u>DP</u> K-3 reading program; administration (Norgaard, Boyer: Ackerley, et al) <u>7-0-0-0</u> ED, APPROP, RULES	
HB2665	<u>DP</u> charter schools; preference; foster children (Allen J, Borrelli, Boyer, et al) <u>6-0-0-1</u> ED, APPROP, RULES	

ADDENDUM #1 - 02/15/16

HB2029 DP small school districts; high schools
(Borrelli)
7-0-0-0 ED, RULES

Attachment 1

Bills	Short Title	Strike Everything Title
**HB2088	<u>DPA</u> schools; assessments; surveys; informed consent (Finchem: Leach, Mitchell, et al) <u>5-1-1-0</u> ED held 0-0-0-0-0, RULES	
HB2293	<u>HELD</u> schools; correction of budget errors (Boyer, Borrelli, Begay, et al) ED, RULES	S/E: school service providers; information privacy
*HB2510	<u>Discussion only</u> experienced teacher retention pilot program (Friese, Alston, Bolding, et al) ED, APPROP, RULES	
HB2551	<u>DPA</u> schools; bonds; overrides; funding sources (Lawrence) <u>4-3-0-0</u> ELECT w/d, ED, RULES	
HB2685	<u>DPA</u> tax credit; early childhood education (Bolding, Cardenas: Boyer, et al) <u>6-1-0-0</u> ED, RULES	
HB2687	<u>DP</u> appropriation; college entrance examinations (Carter) <u>6-0-0-1</u> ED, APPROP, RULES	

* Discussion only
** On previous agenda

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

JOD
2/11/16
2/15/16

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032, TDD (602) 926-3241.

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD



HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Education Bill Number H73 2665
Date 2/17/16 ☒ Support ☐ Oppose ☐ Neutral
Name Pete Hershberger Need to Speak? ☒ Yes ☐ No
Representing National Center for Youth Law Are you a registered lobbyist? yes
Complete Address 200 N Stone Foster Rd Tucson AZ 85701
E-mail Address phershberger@youthlaw.org Phone Number 520 247 7963
Comments: _____

FIVE-MINUTE SPEAKING LIMIT

Attachment 2

Information Registered on the Request to Speak System

House Education (2/17/2016)

HB2321, pilot program; STEM internships

Support:

Joan Koerber-Walker, representing self; Rivko Knox, representing self; Jay Gittrich, representing self; Stacey Morley, AZ EDUCATION ASSN; Janice Palmer, AZ School Boards Assn; Amanda Rusing, Arizona Bio Industry Association

All Comments:

Joan Koerber-Walker, Self: Providing real-world learning experiences in the STEM fields is critically important. H2321 makes more of these experiences possible and financially viable for Arizona students who would not have been able to accept an unpaid internship .; Rivko Knox, Self: Wonderful way to expand internships, thus growing our economy while training existing AZ students. A win-win.; Jay Gittrich, Self: THIS A GOOD BILL.

HB2548, postsecondary campuses; public forums; activities

Testified in support:

orit kwasman, representing self; Tyson Langhofer, representing self

Testified as opposed:

Kody Kelleher, AZ BOARD OF REGENTS

Support:

Richard Segui, representing self; Maureen Tozzzi, representing self; Todd Maxcy, representing self; Susan Hicks, representing self; Michael Hunter, BARRY GOLDWATER INSTITUTE FOR PUBLIC POLICY RESEARCH; Josh Kredit, CENTER FOR ARIZONA POLICY

Neutral:

Leonard Clark Clark, representing self

Oppose:

Katy Yanez, NORTHERN ARIZONA UNIVERSITY; Sabrina Vazquez, UNIVERSITY OF ARIZONA; Abigail Polito Hawkins, AZ STATE UNIVERSITY; Kristen Boilini, Arizona Community College Association

All Comments:

Todd Maxcy, Self: Students should not have to seek permission to exercise their First Amendment rights; Susan Hicks, Self: "Colleges and universities are supposed to be a place where ideas are freely shared, not gagged. The cornerstone of higher education is the ability of students to participate in the marketplace of ideas on campus." Protect First Amendment rights!; Kody Kelleher, AZ BOARD OF REGENTS: The Arizona Board of Regents voted to oppose the underlying bill.; Katy Yanez, NORTHERN ARIZONA UNIVERSITY: ABOR has opposed the underlying bill.; Sabrina Vazquez, UNIVERSITY OF ARIZONA: ABOR opposes the underlying bill.; Abigail Polito Hawkins, AZ STATE

UNIVERSITY: ABOR voted to oppose the underlying bill.; Kristen Boilini, Arizona Community College Association: Will continue to work with the sponsor and proponents on the language.

HB2620, education; certification renewal fees

Support:

Aiden Fleming, Arizona Department Of Education; Stacey Morley, AZ EDUCATION ASSN; Jennifer Johnson, representing self

All Comments:

Stacey Morley, AZ EDUCATION ASSN: We support fees commensurate with services being provided. Would like some limiting, work with SBE/ADE on amendment; Jennifer Johnson, Self: The authority to set certification fees rightly rests with the SBE. Thank you.

HB2653, K-3 reading program; administration

Testified in support:

Karol Schmidt, AZ STATE BOARD OF EDUCATION; Aiden Fleming, Arizona Department Of Education

Support:

Mark Barnes, AZ SCHOOL ADMINISTRATORS ASSOC; Mary Strebe, representing self; Kelley Murphy, CHILDREN'S ACTION ALLIANCE; Charles Essigs, Director of Government Relations, Arizona Association Of School Business Officials; Janice Palmer, AZ School Boards Assn

All Comments:

Karol Schmidt, AZ STATE BOARD OF EDUCATION: Available for questions; Janice Palmer, AZ School Boards Assn: support with a clarifying amendment that all districts receive the funding and a reduction in paperwork for A and B schools

HB2665, charter schools; preference; foster children

Testified in support:

Jay Kaprosy, Arizona Charter Schools Association

Testified as opposed:

William Sandry, representing self; Tracy Langston, Mrs., representing self

Support:

Dianne Post, representing self; Willie Stubbs, representing self; Meghan Arrigo, CHILDREN'S ACTION ALLIANCE; Michael Randolph, representing self; Stacy Randolph, representing self; Mark Barnes, AZ SCHOOL ADMINISTRATORS ASSOC; Joyce Hill, representing self; Lisa Graham Keegan, representing self; Jessie Armendt, STAND FOR CHILDREN; Elizabeth Hatch, representing self; Charles Essigs, Director of Government Relations, Arizona Association Of School Business Officials; Janice Palmer, AZ School Boards Assn; Matthew Ladner,

representing self; Michael Hunter, BARRY GOLDWATER INSTITUTE FOR PUBLIC POLICY RESEARCH; Meghaen Dell'Artino, Education Finance Reform Group; Eileen Sigmund, Arizona Charter Schools Association; Bahney Dedolph, Arizona Council Of Human Service Providers; Linda Polito, Polito Associates

Oppose:

martha hayes, representing self; Tom Holding, representing self; Jere Fredenburgh, representing self; Itasca Small, representing self; Beth Hallgren, 40 Days For Life campaign administrator, representing self

All Comments:

Willie Stubbs, Self: Foster kids have enough difficulties in life. Assisting them in attending Charter Schools will go a long way to giving them the kind of quality care they need.; Michael Randolph, Self: I support this bill.; Stacy Randolph, Self: Please support this bill in order to help foster children succeed in our educational system while in care.; William Sandry, Self: Under our AZ Const. jurisdiction for policies and procedures are granted to the SBE and SPI and not the governor. The bill is void on necessary and elementary details for creating a new and funded entity whose construct is undefined.; Jere Fredenburgh, Self: Separation of powers; not consolidation under the governor's office. thank you.; Beth Hallgren, Self: Our Republic is formed, creating a balance of authority, powers and INTRUSION. This bill slices at that core. It has been disappointing, to say the least, at the cutting away of protections for citizens AND THEIR CHILDREN. PLEASE, vote NO

HB2029, small school districts; high schools

Support:

Barry Aarons, ARIZONA ASSOCIATION OF COUNTY SCHOOL SUPERINTENDENTS; Mark Barnes, AZ SCHOOL ADMINISTRATORS ASSOC; Charles Essigs, Director of Government Relations, Arizona Association Of School Business Officials; Janice Palmer, AZ School Boards Assn; Linda Polito, Polito Associates

Oppose:

Michael Hunter, BARRY GOLDWATER INSTITUTE FOR PUBLIC POLICY RESEARCH

HB2088, schools; assessments; surveys; informed consent

Testified in support:

William Sandry, representing self; Sophia Cogan, representing self; Tracy Langston, Mrs., representing self

Support:

Shirley Lamonna, representing self; Buffalo Rick Galeener, representing self; martha hayes, representing self; Tom Holding, representing self; Steve Hetsler, representing self; Janelle Solomon, representing self; Christine Maceri Genge, representing self; Dennis Genge, representing self; Jennifer Reynolds, representing self; Joel Alcott, representing self; Jim Dutton, representing self; JoAnn Dutton, representing self; Brent Backus, representing self; Tom Platt, representing self; Jose Borrajero, representing self; Jere Fredenburgh, representing self; Joyce Hill, representing self; Susan Hicks, representing self; Elisha Dorfsmith, representing self; Michael Gibbs, representing self; Grady Rhodes, representing self; Scott Ottersen, LD17 PC, representing self; Willie Stubbs, representing self; Anita Christy, representing self; Matt Papke, representing self; Carl Bruning, representing self; Darlene Younker, representing self; Eve Elise Buskirk, representing self; Jim Kresse, representing self; joy staveley, Chairman,

Coconino County Republican Committee, representing self; Donald Cline, representing self; Boaz Witbeck, AMERICANS FOR PROSPERITY AZ; David Alger, representing self

Oppose:

Barry Aarons, ARIZONA ASSOCIATION OF COUNTY SCHOOL SUPERINTENDENTS; Mark Barnes, AZ SCHOOL ADMINISTRATORS ASSOC; Itasca Small, representing self; Stacey Morley, AZ EDUCATION ASSN; Janice Palmer, AZ School Boards Assn; Vicki Alger, representing self; Elizabeth Hatch, Mesa Public Schools; Linda Polito, Polito Associates; Richard Hofelich, representing self; Charles Essigs, Director of Government Relations, Arizona Association Of School Business Officials

All Comments:

Steve Hetsler, Self: Children's privacy not for sale; Jennifer Reynolds, Self: Please protect our children's data and ensure testing companies and schools aren't collecting personal data without parental consent. VOTE YES on HB2088!; William Sandry, Self: The fear of withholding of federal funds is a faux threat to prevent local constitutional control of educating our children.; Joel Alcott, Self: I am the State director for the Tenth Amendment Center. I strongly support this bill.; Jim Dutton, Self: Good, common sense bill. Please support it.; JoAnn Dutton, Self: Pass this bill!; Brent Backus, Self: I support the Bill. Recommend committee support. Thank you.; Mark Barnes, AZ SCHOOL ADMINISTRATORS ASSOC: Concerns related to impact on schools use of surveys; Sophia Cogan, Self: Please support HB2088 and prevent No Child Left Un-Mined!; Susan Hicks, Self: Absolutely yes on this!; Michael Gibbs, Self: Arizona children are being taken advantage of. Commercial testing companies are mining students for personal, non-academic data, often without parental knowledge or consent. We need to protect our children from commercial interests at school.; Itasca Small, Self: NO Parental consent for Assessment: AzMERIT! LEGISLATIVE POWER to SBE to decree nontest data types collected & which are included in longitudinal, student data system. Contractor penalties only for Assessment data collected. Please pass SB1389/1455; Grady Rhodes, Self: Our children should not be a profit center for data mining companies - allow parents to keep our children's information private.; Willie Stubbs, Self: This is a much needed bill to stop the intrusive nanny state. Parents know their children better than the schools do. Parents need this bill to stop the schools from invading the privacy of our children. This bill is long overdue.; Anita Christy, Self: Yes to this bill, which protects student privacy much better and is far superior to HB2293.; Stacey Morley, AZ EDUCATION ASSN: Bill is unnecessary, privacy protections currently exist bill too restrictive; Vicki Alger, Self: My support for this bill was based on the pre-amended version. I oppose the amended version.; Darlene Younker, Self: If you can't share terrorist's information, you shouldn't be able to share student information.; Eve Elise Buskirk, Self: PLEASE VOTE YES for HB2088!; David Alger, Self: I support the original language. I do not support the Lawrence Amendment.

HB2293, schools; correction of budget errors

Support:

Dianne McCallister, Arizona Technology Council; Steven Zylstra, representing self; Mike Huckins, GREATER PHOENIX CHAMBER OF COMMERCE; Jay Kaprosy, Arizona Charter Schools Association; JoAnn Dutton, representing self; Aiden Fleming, Arizona Department Of Education; Rip Wilson, K12; Janice Palmer, AZ School Boards Assn; Charles Essigs, Director of Government Relations, Arizona Association Of School Business Officials; Richard Hofelich, representing self

Oppose:

Jose Borrajero, representing self; Jere Fredenburgh, representing self; Steve Hetsler, representing self; Olga Tarro, representing self; Susan Hicks, representing self; Joel Alcott, representing self; Shirley Lamonna, representing self; Linda Shoemaker, representing self; martha hayes, representing self; Michael Gibbs, representing self; Tracy Langston, Mrs., representing self; J.R. Morris, representing self; Grady Rhodes, representing self; Danny Ray, representing self; William Sandry, representing self; Scott Ottersen, LD17 PC, representing self; Jim Dutton, representing self; Frank Olivieri, representing self; Scott Leska, representing self; Willie Stubbs, representing self; Paul Johnson, representing self; Anita Christy, representing self; Jane Schutte, representing self; Kay Reardon, representing self; Matt Papke, representing self; Carl Bruning, representing self; Jennifer Reynolds, representing self; Darlene Younker, representing self; Jerry Clingman, representing self; Eve Elise Buskirk, representing self; Vicki Alger, representing self; Lisa Hudson, representing self; joy staveley, Chairman, Coconino County Republican Committee, representing self

All Comments:

Dianne McCallister, Arizona Technology Council: We are supportive of the strike-everything amendment.; Steven Zylstra, Self: Supportive of the strike everything amendment.; Mike Huckins, GREATER PHOENIX CHAMBER OF COMMERCE: Support strike-everything amendment; Jere Fredenburgh, Self: Support HB 2088, HB 2293 does not protect student data. thank you.; Olga Tarro, Self: Look at some of the groups who support this bill--those who profit financially or represent those who do. Personalized/adaptive learning is a open vehicle for data to freely flow in this bill.; Susan Hicks, Self: *explain why aggregate information can't be used instead of personally identifiable information *demand districts obtain informed consent from parents for any assessment; *what security protections are there? *government has no need for this info; Joel Alcott, Self: I am the Tenth Amendment State Director. I am opposed to this bill.; Shirley Lamonna, Self: #3 under Provisions still allows data to be shared without consent of parent. Doesn't protect student data.; Michael Gibbs, Self: Arizona children need real protection from commercial exploitation at school and this bill doesn't do it. There's no transparency and no accountability. Please oppose 2293 and support 2088 instead.; J.R. Morris, Self: This is a horrible bill that does more to protect "school service providers" than family data. Vague and obtuse it's filled with terms like "reasonable" and "appropriate" instead of concrete performance criteria. VOTE NO!; Grady Rhodes, Self: No no no!; Danny Ray, Self: A weak attempt that alleges to protect our childrens personal information.; William Sandry, Self: This should be titled the Vendor Enabling bill.; Scott Ottersen, Self: Striker-this is now the Testing Company Protection Bill not student and parent protection; Jim Dutton, Self: Terrible bill the undermines other good legislation. Please kill this bill ASAP.; JoAnn Dutton, Self: Kill this bill!; Scott Leska, Self: This bill is for big business and for profit only. It undermines the integrity and security of our children. Please vote NO!; Willie Stubbs, Self: This is an outrageous Nanny State encroachment on students privacy totally disregarding parents rights.; Paul Johnson, Self: 1)There is no parental consent, 2)There is no liability or enforcement component for data protection violations, 3)There are no protections from using artificial intelligence to gather Personal Identifiable Information. This bill should not pass.; Anita Christy, Self: Please vote NO. This deceptive bill isn't nearly as good as HB2088.; Matt Papke, Self: Looks like a back door effort to kill another good bill.; Jennifer Reynolds, Self: This bill circumvents parental authority in collecting data on children. VOTE NO on HB2293.; Rip Wilson, K12: Supporting bill with striker; Janice Palmer, AZ School Boards Assn: This is supported by our national organization.; Charles Essigs, Arizona Association Of School Business Officials: Support with strike everything amendment; Eve Elise Buskirk, Self: Support HB2088! HB2293 does not protect student data!; Lisa Hudson, Self: The bill leaves a gaping hole for the collection & use of student PII under the guise of "adaptive learning." It does nothing to protect data privacy & eliminates parental consent. Student PII should be off limits unless parents authorized. Vote No.

HB2510, experienced teacher retention pilot program

Support:

Rivko Knox, representing self; Jay Gittrich, representing self; Aiden Fleming, Arizona Department Of Education; Stacey Morley, AZ EDUCATION ASSN; Jennifer Johnson, representing self; Janice Palmer, AZ School Boards Assn

Oppose:

martha hayes, representing self; Buffalo Rick Galeener, representing self; Jane Schutte, representing self; Jose Borrajero, representing self; Tom Holding, representing self; Janelle Solomon, representing self; Christine Maceri Genge, representing self; Dennis Genge, representing self; Richard Hofelich, representing self; Joyce Hill, representing self

All Comments:

Jose Borrajero, Self: It is not a good idea to spend 75 million tax payer dollars that shows very little benefit. It is a high price to pay for a teacher's promise to remain as a teacher at full pay and benefits for two years.; Christine Maceri Genge, Self: Far too costly for taxpayers.; Dennis Genge, Self: Too costly.; Jay Gittrich, Self: This is a good idea.; Aiden Fleming, Arizona Department Of Education: ADE is supportive of any measure to ensure teacher retention and offer support to our educators. While the details may need to be worked out ADE believes this is a good first step.; Jennifer Johnson, Self: Thank you for presenting a concrete step to retain experienced teachers. Much needed.

HB2551, schools; bonds; overrides; funding sources

Testified in support:

Boaz Witbeck, AMERICANS FOR PROSPERITY AZ

Testified as opposed:

Mark Barnes, AZ SCHOOL ADMINISTRATORS ASSOC

Support:

Jered Skousen, representing self; Buffalo Rick Galeener, representing self; Bryan Lee Briggs, representing self; martha hayes, representing self; Jose Borrajero, representing self; Tom Holding, representing self; Janelle Solomon, representing self; Christine Maceri Genge, representing self; Dennis Genge, representing self; Tom Jenney, AMERICANS FOR PROSPERITY AZ; Onita Davis, representing self; Steve Hetsler, representing self; Joyce Hill, representing self; Chalon Hutson, representing self; Jaimie Kleshock, representing self; Carolyn McCorkle, representing self; joy staveley, Chairman, Coconino County Republican Committee, representing self; Darlene Younker, representing self; David Richardson, representing self; steven slaton, representing self; Roy Miller, representing self; Jason Lloyd, representing self; Bridget Pikosz, representing self

Neutral:

Leonard Clark Clark, representing self

Oppose:

Charles Essigs, Director of Government Relations, Arizona Association Of School Business Officials; Stacey Morley, AZ EDUCATION ASSN; Janice Palmer, AZ School Boards Assn; Elizabeth Hatch, Mesa Public Schools

All Comments:

Jered Skousen, Self: This information would be quite helpful and allow more transparency in the process.; Jose Borrajero, Self: This is an extremely important transparency bill. Before they vote, tax payers should be able to be informed as to who is financing bond and override, campaigns, what funding is already in place, and how the approval will affect their taxes.; Christine Maceri Genge, Self: Bills transparency will hopefully help taxpayers when they vote.; Carolyn McCorkle, Self: Taxpayers need this important information in determining adequate funding levels.; Steven Slaton, Self: Steven Slaton AFP is for this bill; Roy Miller, Self: Please support. Excellent idea.

HB2685, tax credit; early childhood education

Testified in support:

Monica Trejo, representing self

Support:

Edgar Ochoa, representing self; Sydney Hay, AMERICAN FEDERATION FOR CHILDREN; Rivko Knox, representing self; Jay Gittrich, representing self; Gabriel Sandoval, representing self; Carl Zaragoza, representing self; Regional Carrillo, representing self

Neutral:

Aiden Fleming, Arizona Department Of Education; Ben Alteneder, AZ EARLY CHILDHOOD DEVELOPMENT & HEALTH BOARD

Oppose:

Stacey Morley, AZ EDUCATION ASSN; Janice Palmer, AZ School Boards Assn

All Comments:

Edgar Ochoa, Self: As an educator, I support HB2685. HB2685 increases the opportunity for young children to attain an education that would otherwise not be available to them. That is always a positive thing. Thank you.; Stacey Morley, AZ EDUCATION ASSN: Tax credits are not the solution, early education needs to be funded at state level.; Gabriel Sandoval, Self: This bill would allow our 40 parents that are on the waiting list for scholarships the opportunity to access our early childhood education program. Gabriel Sandoval, Director of Early Childhood Education Development Center, Friendly House, Inc.; Carl Zaragoza, Self: As a school board member, we do everything we can to support children. We know early childhood education is critical for brain development. We should invest and support children growing at this early age. It's critical for their future success.; Janice Palmer, AZ School Boards Assn: Oppose the addition of a new tax credit; however, appreciate the efforts to find new ways to fund early education opportunities for children.; Regional Carrillo, Self: As a first grade educator I have a first hand account of the academic benefits possessed by children that have attended preschool. They are more prepared to succeed and grasp the English language.; Monica Trejo, Self: As a school administrator, I fully support the effort of HB2685 to increase early childhood learning opportunities. This bill would reduce the amount of families on our waiting lists. Students who attend pre-school are prepared to succeed in school.

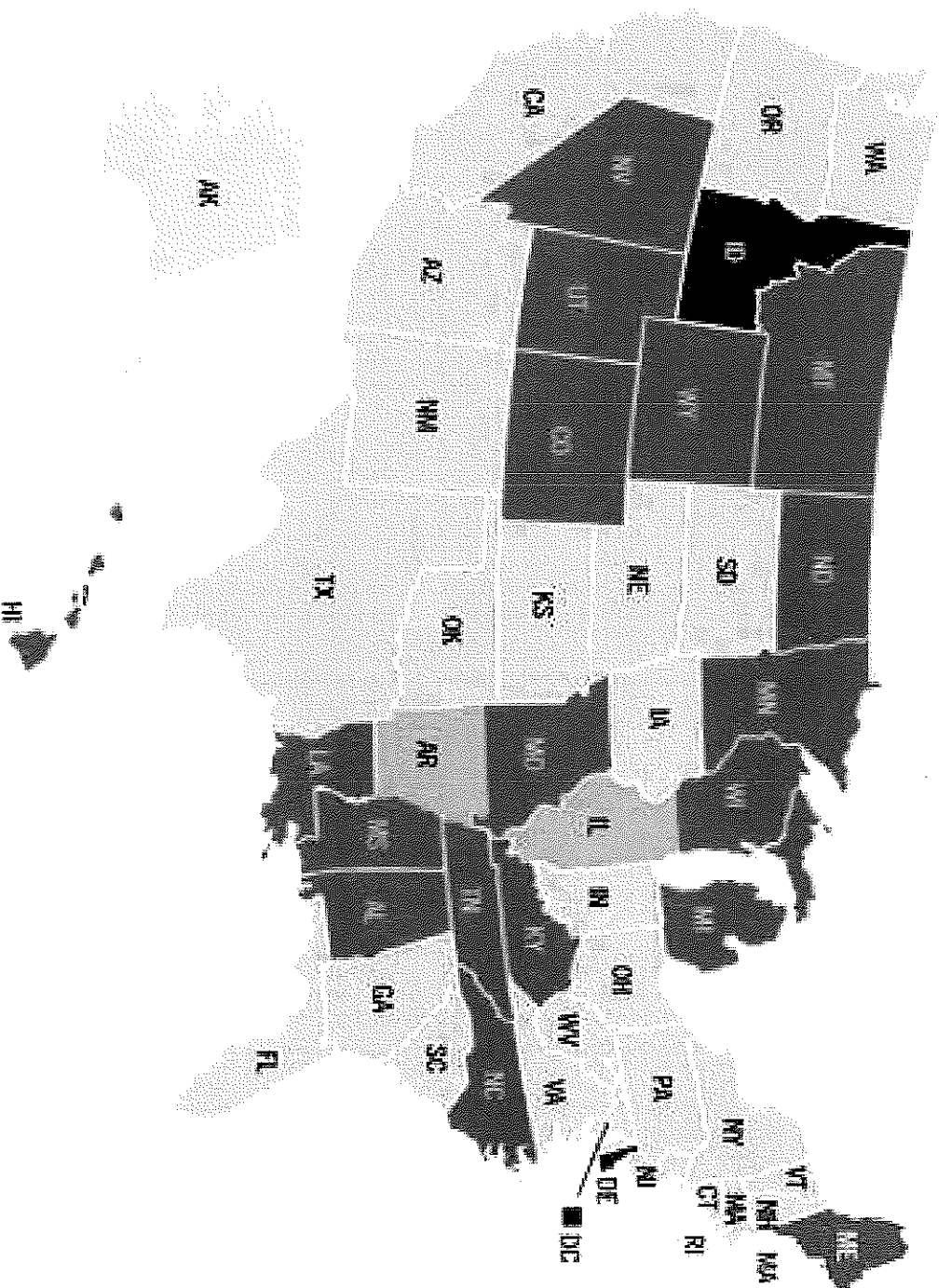
HB2687, appropriation; college entrance examinations

Support:

Stacey Morley, AZ EDUCATION ASSN; Scott Smith, ACT, Inc.

STATES HELP EXTEND REACH OF COLLEGE-ENTRANCE EXAMS

Nearly half of all states—and many districts—now pay for public school students to take either the ACT or SAT college-admissions tests. A few of those states, such as Illinois and Arkansas, permit districts to opt out of the testing. In Alaska, students can decide whether they want to participate in the tests.





Arizona's Invisible Achievement Gap

*Education Outcomes of Students in Foster Care
in the State's Public Schools*

WestEd 
WestEd.org

Arizona's Invisible Achievement Gap

Education Outcomes of Students
in Foster Care in the State's
Public Schools

Vanessa X. Barrat
BethAnn Berliner
Natalie J. Felida

This report presents the findings of a study funded by the Arizona Venture Fund for Quality Education at the Arizona Community Foundation. It is a replication of a report on the education outcomes of students in foster care in California—*The Invisible Achievement Gap, Part 1: Education Outcomes of Students in Foster Care in California's Public Schools* (2013). The California study, funded by the Stuart Foundation, was conducted by the same lead authors (Vanessa X. Barrat and BethAnn Berliner) from WestEd. Accordingly, some of that report's format and language have been adapted for use in this report.

Suggested citation:

Barrat, V. X., Berliner, B., & Felida, N. J. (2015). *Arizona's Invisible Achievement Gap: Education Outcomes of Students in Foster Care in the State's Public Schools*. San Francisco: WestEd.

© 2015 WestEd. All rights reserved. Permission to reproduce for non-commercial use with the WestEd copyright notice is hereby granted.

Contents

Executive summary	i
Acknowledgments	v
Introduction	1
Understanding students in foster care—by the numbers	6
Key findings about the characteristics of students in foster care and the schools they attend	9
Key findings about the academic achievement and education outcomes of students in foster care	20
Conclusion	29
References	31
Appendix A. Methodology	32
Appendix B. Frequency tables	39

List of figures

Figure 1. Distribution of public school districts by the number of students in foster care enrolled in the district, 2012/13	7
Figure 2. Distribution of students by race/ethnicity and by gender, for students in foster care, low-socioeconomic-status students, and all students in Arizona public schools, 2012/13	10
Figure 3. Percentage of students eligible to receive English language and special education program supports, for students in foster care, low-socioeconomic-status students, and all students in Arizona public schools, 2012/13	11
Figure 4. Distribution of students with disabilities by primary disability category, for students in foster care, low-socioeconomic-status students, and all students in Arizona public schools, 2012/13	13
Figure 5. Number of schools attended during the 2012/13 school year, for students in foster care, low-socioeconomic-status students, and all students in Arizona public schools, 2012/13	15
Figure 6. Percentage of students in foster care, low-socioeconomic-status students, and all students enrolled in Arizona public schools by the statewide school letter grade, 2012/13	17
Figure 7. Percentage of students enrolled in a nontraditional school for students in foster care, low-socioeconomic-status students, and all students in Arizona public schools, 2012/13	19
Figure 8. Percentage of students who participated in statewide testing, by grade, for students in foster care, other at-risk student subgroups, and all students in Arizona public schools, 2012/13	22
Figure 9. Percentage of students who met or exceeded standards in mathematics on the AIMS/AIMS A for students in foster care, other at-risk student subgroups, and all students in Arizona public schools, grades 3–8 and 10, 2012/13	23
Figure 10. Percentage of students who met or exceeded standards in reading on the AIMS/AIMS A for students in foster care, other at-risk student subgroups, and all students in Arizona public schools, grades 3–8 and 10, 2012/13	24
Figure 11. Single-year dropout rate by high school grade level, for students in foster care, other at-risk student subgroups, and all students in Arizona public schools, 2012/13	27
Figure 12. Percentage of grade-12 students who graduated in 2013, for students in foster care, other at-risk student subgroups, and all students in Arizona public schools, 2012/13	28

List of tables

Table 1. The 10 Arizona school districts enrolling the most students in foster care, 2012/13	8
Table B1. Number and percentage of students by demographic characteristics, for all students, low-socioeconomic-status students, and students in foster care in Arizona public schools, 2012/13	39
Table B2. Number and percentage of all students, low-socioeconomic-status students, and students in foster care in Arizona public schools, by school characteristics, 2012/13	41
Table B3. Number and percentage of students enrolled in traditional and nontraditional schools, for all students, low-socioeconomic-status students, and students in foster care in Arizona public schools, by school levels, 2012/13	42
Table B4. Number and percentage of students who participated in Arizona's statewide testing, for all students, students in foster care, and other at-risk student subgroups in Arizona public schools, grades 3–8 and 10, 2012/13	43
Table B5. Number and percentage of students who met or exceeded standards in mathematics and reading on the AIMS/AIMS A, for all students, students in foster care, and other at-risk student subgroups in Arizona public schools, grades 3–8 and 10, 2012/13	45
Table B6. Single-year dropout rate by grades 9–12 for all students, students in foster care, and other at-risk student subgroups in Arizona public schools, 2012/13	46
Table B7. Number and percentage of grade-12 students who graduated, for all students, students in foster care, and other at-risk student subgroups in Arizona public schools, 2012/13	48

Executive summary

One of the most vexing problems for Arizona, a state that is committed to providing high-quality public education for all students, has been the persistently low academic achievement of racial/ethnic minority students, English language learners, students raised in poverty, and students with disabilities. For many years, closing these achievement gaps has been a priority. Yet, until recently, reform efforts have rarely acknowledged another group of students who also persistently underperform: students in foster care.

As is the case for many other states, Arizona has had little statewide information about the education of school-aged children and youth who are in the child welfare system and for whom the state is legally responsible. This is largely due to challenges related to the availability, collection, and sharing of information about these students across the education and child welfare systems, which do not have a common unique student identifier for students who are in both systems. As a result, the education needs of these students have often gone unrecognized and unmet—leaving many of them trailing their classmates in academic achievement. It is this achievement gap that has been largely invisible to educators and child welfare professionals alike.

This report, *Arizona's Invisible Achievement Gap: Education Outcomes of Students in Foster Care in the State's Public Schools*, sponsored by the Arizona Venture Fund for Quality Education at the Arizona Community Foundation, contributes to a growing body of research that finds that students in foster care constitute a distinct subgroup of academically at-risk students—a message that has not yet been clearly or fully translated from research to policy to practice.

The study on which this report is based breaks new ground in Arizona by linking individual student education data and child welfare data to create the state's first-ever education snapshot of all K–12 students in foster care. It describes the previously undocumented achievement gap for Arizona students in foster care, by comparing their academic outcomes to those of the state's K–12 population as a whole and to other at-risk subgroups with documented achievement gaps, specifically, low-socioeconomic-status (low-SES) students, English language learners, and students with disabilities. Given the strong association that research has found between family poverty and children's placement in foster care, the comparison between students in foster care and low-SES students was particularly important for uncovering any differences in education outcomes for these two student populations.

The findings reported below are especially timely given current efforts to improve accountability in the state's child welfare system. Taken together, they show that Arizona students in foster care have unique characteristics that justify their identification as a separate at-risk student subgroup and that this subgroup has a significant achievement gap compared to the other student groups. These findings serve as new evidence for policymakers to use in pursuing efforts to improve the academic success of students in foster care.

A count of the number of students in foster care and the findings follow.

Understanding students in foster care—by the numbers.

In Arizona, 1,108,795 K–12 students ages 5–17 were enrolled in the state's public schools during the 2012/13 school year. Among them were 10,770 students—about 1 percent of students—who had spent a period of time in foster care that year.

In 2012/13, about 1 in 4 Arizona public school districts reported enrolling no students in foster care and the majority of districts reported having between 1 and 49 students in foster care. In fact, for the time period of this study, the majority of Arizona students in foster care were enrolled in a small number of districts. Specifically, over two thirds were enrolled in 11 percent of the state's public school districts, with each of these districts enrolling at least 100 students in foster care.

Finding 1: Students in foster care constituted an at-risk subgroup that was distinct from low-SES students.

In this study, students in foster care had a different demographic profile than their K–12 classmates statewide and than their classmates who were classified as low SES. Students in foster care were more likely than low-SES students to be African American or White, but less likely than low-SES students to be Hispanic or to be designated as English language learners. They were also classified with a disability at twice the rate of both comparison groups, and, among students with disabilities, students in foster care were over four times more likely to be classified with an emotional disturbance than other students statewide.

Finding 2: Students in foster care were more likely than other students to change schools during the school year.

Students in foster care experienced much higher rates of school mobility than other students. Only 58 percent of students in foster care attended the same school for the full school year. In contrast, about 90 percent of the low-SES and the statewide student populations attended the same school all year. Furthermore, nearly 1 in 7 students in foster care attended three or more schools during the school year, a level of school mobility experienced by only about 1 percent of the low-SES and statewide student populations.

Finding 3: Students in foster care were more likely than the statewide student population to be enrolled in low-performing schools.

At the time of the study, Arizona used the A–F Letter Grade Accountability System, an annual measure of school test-score performance to rate schools. Based on these ratings, students in foster care, like low-SES students, were consistently less likely to attend the state's highest-performing schools and more likely than the statewide population to attend the state's low-performing schools. Some 17 percent attended schools rated with a letter grade of A, the highest-performing schools in the state, nearly half the percentage of all students (30 percent) who attended the state's highest-performing schools.

Finding 4: Students in foster care were more likely to attend a nontraditional school than other students.

Across grades K–12, some 11 percent of students in foster care attended nontraditional schools—such as alternative schools, juvenile justice schools, and non-public schools—compared with about 3 percent each for the other student populations. In high school, nearly a third attended nontraditional schools, more than double the enrollment of low-SES students and triple the enrollment of the statewide student population.

Finding 5: Students in foster care had the lowest participation rate in Arizona's statewide testing program.

At the time of this study, all Arizona public school students in grades 3–8 and 10 took Arizona's Instrument to Measure Standards (AIMS) in mathematics, reading, and writing. In addition, students of any grade could be administered the Arizona English Language Learner Assessment (AZELLA), a standards-based assessment that measures English language proficiency for students who have been identified as second language learners. At every grade level in which testing occurred, students in foster care were less likely than the other student groups to participate in statewide testing. Whereas 94 percent took a statewide assessment in grades 3 and 4, on par with the other subgroups, the rate of test-taking decreased to 81 percent in grade 8 and to 77 percent during the last year of testing in grade 10.

Finding 6: Statewide testing showed an achievement gap for students in foster care.

AIMS results showed that students in foster care fell short in meeting or exceeding standards in mathematics and reading.

Only 40 percent of students in foster care met or exceeded standards in mathematics, far below the percentage of students who met or exceeded standards for low-SES and all students. The achievement rates of students in foster care who were also classified as English language learners or as students with disabilities were below the rates for all English language learners and all students with disabilities. English language learners in foster care had the lowest levels of mathematics achievement of all subgroups (13 percent).

Similarly, only 61 percent of students in foster care met or exceeded standards in reading, far below the percentage of students who met or exceeded standards for low-SES and all students but above the percentage for English language learners or students with disabilities. The achievement rates of students in foster care who were also classified as English language learners or as students with disabilities were below the rates for all English language learners and all students with disabilities. English language learners in foster care had the lowest level of reading achievement of all subgroups (20 percent).

Finding 7: High school students in foster care had the highest dropout rate and among the lowest graduation rates.

During 2012/13, across the high school grades, students in foster care were more likely than all comparison groups to drop out. The single-year dropout rate for students in foster care was 12 percent in grade 9, three times greater than the percentage for low-SES

students, English language learners, or student with disabilities (each at 4 percent), and four times the percentage of all students statewide (3 percent). The single-year dropout rate increased each year for all groups but was consistently higher for students in foster care, rising to 18 percent in grade 12, and peaking at 21 percent for students in foster care with disabilities.

Finally, the 2012/13 graduation rate for all grade-12 students statewide was 78 percent, but for students in foster care, it was just 33 percent—one of the lowest rates among the at-risk student subgroups. And among students in foster care, only 28 percent who were also classified with disabilities graduated from high school.

Acknowledgments

We thank our many colleagues who contributed to this report. This study would not have been possible without the vision, dedication, and expertise of our partners at FosterEd Arizona, Jesse Hahnel, Peter Hershberger, and Michelle Traiman. Under their stewardship and advocacy, the findings in this report will strengthen the field of child welfare and outcomes for Arizona's children and youth in foster care.

We are also grateful to our colleague Vince Yanez of the Arizona Venture Fund for Quality Education at the Arizona Community Foundation. The Foundation's generous financial support for this work showed an unwavering commitment to improving education outcomes for students in foster care.

A very special thanks is extended to the Arizona Department of Education and the Arizona Department of Child Safety for their visionary leadership and generosity in sharing data across systems. In particular we are indebted to Rebecca Bolnick, Sandy Burt, Nicolas Espadas, Leanne Hawkins, Dennis Hinz, Yohvane Metcalfe, Stacey Morley, Ginny Seltenright, Jefferson Small, and Robert Zimmerman.

Finally, we thank many other colleagues who served as education and child welfare advisors and whose ideas strengthened our work.

Ernest Baca
Arizona Department of Child Safety

Christina Corieri
Office of the Arizona Governor

Shalom Jacobs
Arizona Department of Child Safety

Ed Jung
Arizona Department of Education

Beverlee Kroll
Arizona Department of Child Safety

Jen Laird
RTI International

Caroline Lauth-Owens
Administrative Office of the Court

Therese Martin
Attorney General's Office

Karla Phillips
Foundation for Excellence in
Education

Leah Landrum Taylor
Arizona Department of Education

Christine Thompson
Arizona State Board of Education

Introduction

“Children in foster care encounter challenges that most of us can’t even imagine. Many experience abuse, neglect, and threats in their homes from people they love and trust, and are removed from their families. They often move from placement to placement before a permanent arrangement is found, changing schools, losing friends, and facing an uncertain future.

“Despite the pain and disruption in their lives, many of these kids are resilient. While some do well in school and overcome the odds stacked against them to build productive lives as young adults, too many don’t make it. In Arizona, we need better ways for all of us—especially those of us entrusted to protect children professionally—to ensure that they have a brighter future!”

— Arizona career educator

One of the most vexing problems for Arizona, a state that is committed to providing a high-quality public education for all students, has been the persistently low academic achievement of racial/ethnic minority students, English language learners, students raised in poverty, and students with disabilities. For many years, closing these achievement gaps has been a priority for the state’s education reformers. Yet, these reform efforts have rarely acknowledged another group of students who also persistently underperform: students in foster care.

While Arizona tracks the progress of other academically vulnerable student groups, it has had little statewide information about the education of school-age children who are in the foster care system and for whom the state is legally responsible. As is also the case for many other states, Arizona has not tracked how many of these students attend public schools, where they are enrolled, how well they fare academically, or whether they receive the education supports and services they need for success. At the school level, classroom teachers and other educators are generally unaware of students’ foster care status. This is largely due to challenges related to the availability, collection, and sharing of information about these students across the education and child welfare systems, which have neither a shared definition of the foster-care population nor a common unique student identifier for students who are in both systems. As a result, the education needs of these students have often gone unrecognized and unmet—leaving many of them trailing their classmates in academic achievement.

It is this achievement gap that has been largely invisible to educators and child welfare professionals alike.

**“My best memory of school
is those teachers who took
the time to listen to me.
Being seen and heard
was empowering.”**

— Arizona student in foster care

Each year, about 25,000 children from birth to age 18 in communities across Arizona are found through the state's Department of Child Safety to be unsafe in their homes due to the existence or risk of abuse or neglect. These children may be removed from their homes and placed in the foster care system, with the goal of finding a safe and permanent home for each child, either through reunification with the child's family (after the family has met certain conditions), through adoption, or through placement with a permanent legal guardian. While these children are in the foster care system, the state assumes legal responsibility for their safety, health, and well-being and should also be accountable for ensuring that they thrive in school.

Arizona's public schools, which play a critical role in the successful development of all children, have an especially important role to play for students in foster care. When these students are able to continue at the same school, familiar teachers and friends may help lessen the distress of being removed from their family home or, as happens for some students, being moved from one foster placement to another. In addition, for students in foster care, what they learn and experience at school is all the more influential in seeding their economic, social, and personal aspirations, opportunities, and accomplishments over their lifetimes.

Unfortunately, for too many students in foster care, academic success remains elusive. A growing amount of research has begun to make the case that students in foster care are especially at risk for school failure, as evidenced by poor grades and high rates of absenteeism, grade retention, disciplinary referrals, and dropping out of high school.¹ Yet the message that students in foster care comprise a distinct subgroup of at-risk students has not yet been clearly or fully translated from research to state policy to local practice.

"It's easy being a foster care kid to go unnoticed. I feel it's important that schools engage with us. I know it made a big difference in my life."

— Arizona student in foster care

Arizona's Invisible Achievement Gap, sponsored by FosterEd Arizona and the Arizona Community Foundation, breaks new ground by linking statewide education and child welfare data to create a first-ever education snapshot of all K-12 students in foster care in Arizona. The study report begins by describing the demographic characteristics of these students, the frequency with which they change schools, and the types of school they attend. Given the strong association between family poverty and children's placement in foster care,² and given the federal policy of designating all students in foster care as eligible for the school free or reduced-price lunch program and, thus, as having low socioeconomic status (SES), the study includes comparisons of students in foster care with low-SES students. The intent was to uncover any differences in the education experiences and outcomes of these socioeconomically similar student groups. To provide a broader

¹ Barrat & Berliner, 2013; Christian, 2003; Leone, & Weinberg, 2010; Smithgall, Gladden, Howard, George, & Courtney, 2004; Wulczyn, Smithgall, & Chen, 2009.

² Barth, Wildfire, & Green, 2006; Putnam-Hornstein, Needell, King, & Johnson-Motoyama, 2013.

perspective, the study also compares students in foster care with the state's K-12 population as a whole.

The report then turns to academic achievement and education outcomes for students in foster care. Here, in addition to comparing these students to the statewide student population and to low-SES students, it compares them to other at-risk subgroups with documented achievement gaps, specifically students who are classified as English language learners, and students classified with disabilities and who are eligible to receive special education services.

Taken together, this study's findings show that Arizona students in foster care have unique characteristics that justify their identification as a separate at-risk student subgroup and that this subgroup has a significant achievement gap that needs to be accounted for and addressed. These findings serve as new evidence for, and add urgency to, conversations about what policymakers and educators can and must do to continue to improve the odds of academic success for students in foster care.

This report is especially timely. With strong bipartisan support from state leaders to better support Arizona's most vulnerable children, in 2014 new laws created and funded the Department of Child Safety. This followed an outcry for reform after the public learned that several thousands of cases of reported abuse and neglect were not investigated, at a time when case reports were also increasing dramatically. To address this backlog and decades of problems made worse by budget cuts in recent years, the state is determined to improve accountability and oversight of child welfare by increasing staffing, training, and resources; strengthening the system for responding to case reports; and better supporting distressed families. In this context of reform, policymakers are also asking new questions about how well students in foster care fare academically in Arizona's public K-12 schools. In providing a more complete education picture of Arizona students in foster care, this study serves multiple purposes:

- Raising awareness among education and child welfare policymakers and practitioners, as well as the courts, about the particular academic vulnerability of students in foster care.
- Creating a baseline for tracking the academic progress of this student group.
- Providing critical information to use in strengthening policy and practice aimed at narrowing the achievement gap between students in foster care and their classmates.

The Arizona Department of Child Safety and the Arizona Department of Education made possible this first-ever description of the achievement gap of Arizona's students in foster care by collaborating to share data and by making a far-reaching commitment to improve the education outcomes for students in foster care.

- Underscoring the need for accessible linked, comprehensive, and current education and child welfare data to inform and facilitate greater collaboration across agencies in order to better meet the needs of this particular student population.

As one of the few states in the nation to examine the academic progress of its students in foster care, *Arizona's Invisible Achievement Gap* calls for state policymakers at all levels to do more to support the success of these students.

Data and Definitions

The findings of this study are derived from a unique database that links statewide individual student education data from the Arizona Department of Education (ADE) longitudinal data system with individual child records from the Arizona Department of Child Safety (DCS). For this study, these two data sources were matched to identify the education records of all K–12 students ages 5–17 who had a foster care placement between August 1, 2012 and June 1, 2013. The demographic characteristics and the types of school attended by students in foster care are analyzed and compared with the statewide K–12 student population as well as with the population of students classified as coming from a low-socioeconomic background. The education outcomes of students in foster care are also compared with these two groups (i.e., all students statewide and low-socioeconomic-status students), as well as with other at-risk student subgroups with documented achievement gaps, specifically English language learners and students with disabilities. Each student population was defined as follows:

Statewide student population is composed of all K–12 students enrolled in an Arizona public school during school year 2012/13 who were 5–17 years old as of September 1, 2012 (1,108,795 students). All of the student subgroups described below are part of this statewide student population, and the subgroups are not mutually exclusive.

Students in foster care are students with an out-of-home foster care placement at any point during the 2012/13 school year. About 1 percent of the statewide student population had a foster care placement.

Low-socioeconomic-status (low-SES) students are those whose family income qualifies the student for eligibility for a school's free or reduced-price lunch program. Approximately half of the statewide student population was classified as low SES.

English language learners are students whose primary language is not English and who have a less than proficient overall proficiency level on the Arizona English Language Learner Assessment (AZELLA). Those students are considered to lack the level of English language skills that is necessary to succeed in the school's regular instructional program and are enrolled in special language services. Around 6 percent of students in the statewide student population were classified as English language learners.

Students with disabilities are students classified with a disability who are eligible for special education services; around 11 percent of the statewide student population was eligible for those services.

Because students in foster care have the option to exit the child welfare system at age 18, the study population was restricted to students under age 18 at the start of school year 2012/13. This restriction affects the comparability of the study estimates with other statewide reports. Additionally, the number of students in foster care reported by district is based on students' first school of enrollment during school year 2012/13. Given the changing foster care status of these students, and their high rates of school mobility, the number of students reported by district is likely an undercount. Further details about the study methodology are presented in appendix A.

Understanding students in foster care—by the numbers

In Arizona, 1,108,795 K-12 students ages 5-17 were enrolled in the state's public schools during the 2012/13 school year. Among these students were 10,770—about 1 percent of the students—who spent a period of time in foster care that year.

In that same school year, Arizona had 687 school districts, including 228 public school districts (33 percent) and 412 public charter entities (60 percent). All other school districts were composed mainly of juvenile justice schools, non-public schools (i.e., approved private day schools that serve public school students), and other schools with exceptional status.

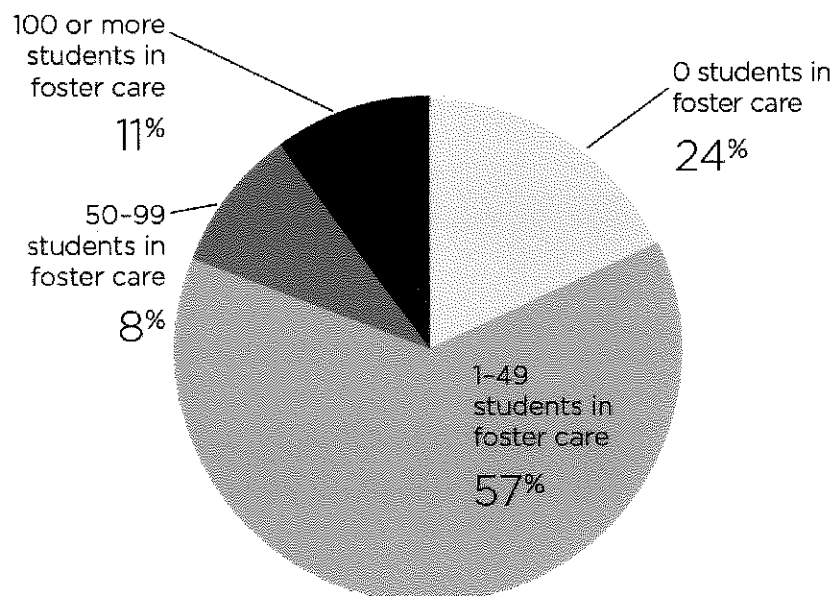
Of the 228 public school districts in the 2012/13 school year, 55 (24 percent) enrolled *no* students in foster care while the majority (130 districts, 57 percent) enrolled between 1 and 49 students in foster care (figure 1). Another 17 districts (8 percent) enrolled between 50 and 99 students in foster care, and 26 districts (11 percent) enrolled at least 100. Among the public charter entities, over 1 in 3 of these schools (36 percent) had *no* students in foster care while 64 percent (263 charter schools) enrolled between 1 and 49 students in foster care. There was only one charter school in the state that enrolled more than 50 students in foster care.

As a result, most students in foster care were enrolled in a public school district (86 percent). About 1 in 10 (11 percent) were enrolled in a public charter school district—a slightly smaller share than the 13 percent of students across the state who attended public charter schools. An additional 3 percent of students in foster care were enrolled in other types of districts, including juvenile justice schools, non-public schools, and other schools with exceptional status that were also classified as a school district, in contrast with only 0.3 percent of all students in the state. One in 10 students in those other types of schools/districts was a student in foster care, compared to the public school districts and public charter school districts that had less than 1 in 100 students in foster care.

"It's like no one at school noticed me. They never saw nothing. Never knew I was in the foster care system and nobody helped. They didn't know what I was going through. That's why I worked my butt off at school—to get out."

— Arizona student in foster care

Figure 1. Distribution of public school districts by the number of students in foster care enrolled in the district, 2012/13



Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

The majority of Arizona students in foster care were enrolled in a small number of districts. Specifically, 70 percent of students in foster care were enrolled in the 19 percent of the state's public school districts enrolling at least 50 students in foster care. Collectively, the 10 districts with the most students in foster care served over a third (36 percent) of this student population (table 1). Tucson Unified School District alone enrolled over 1,000 students in foster care, 10 percent of the state's total number of these students.

Table 1. The 10 Arizona school districts enrolling the most students in foster care, 2012/13

County	School district	Number of students in foster care
Pima	(1) Tucson Unified School District	1,087
Maricopa	(2) Mesa Unified School District	542
Maricopa	(3) Peoria Unified School District	333
Maricopa	(4) Deer Valley Unified School District	326
Maricopa	(5) Washington Elementary School District	319
Maricopa	(6) Dysart Unified School District	318
Pima	(7) Amphitheater Unified School District #10	298
Maricopa	(8) Phoenix Union High School District	250
Pima	(9) Sunnyside Unified School District	228
Maricopa	(10) Glendale Elementary School District	211
Total for 10 school districts		3,912
Total for Arizona		10,770

Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

The study's findings, which follow, serve as a compelling justification for keeping track of—and being accountable for—students in foster care.

Key findings about the characteristics of students in foster care and the schools they attend

Findings

1. Students in foster care constituted an at-risk subgroup that was distinct from low-SES students.
2. Students in foster care were more likely than other students to change schools during the school year.
3. Students in foster care were more likely than the statewide student population to be enrolled in low-performing schools.
4. Students in foster care were more likely to attend a nontraditional school than other students.

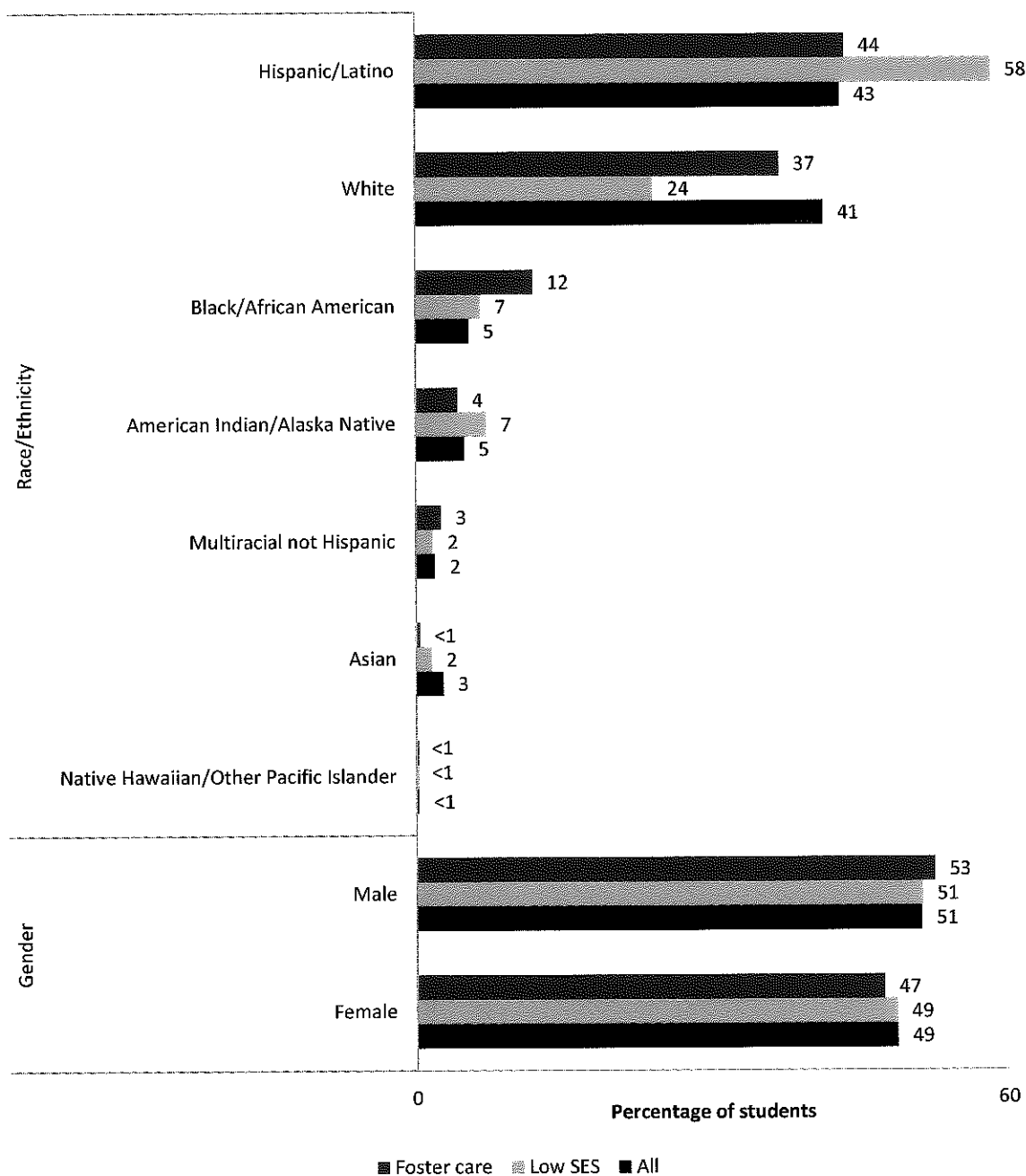
These first four findings are based on comparisons of students in foster care with low-SES students and all students statewide.

Finding 1: Students in foster care constituted an at-risk subgroup that was distinct from low-SES students.

Students in foster care were more likely to be Black/African American or White and less likely to be Hispanic/Latino than low-SES students in the state.

The racial/ethnic makeup of students in foster care differed in several ways from the makeup of the statewide student population and from the low-SES student population (figure 2). The largest racial/ethnic group among students in foster care was Hispanic/Latino (44 percent), which was comparable to the percentage for all Hispanic/Latino K–12 students statewide (43 percent); yet students in foster care were less likely to be Hispanic/Latino than students who were classified as low-SES (58 percent). Over a third (37 percent) of students in foster care were White; this was larger than the share of White students among low-SES students (24 percent) but less than the share among the statewide student population (41 percent). At 12 percent, the proportion of students in foster care who were Black/African American was greater than in either of the other student groups, for which the share of Black/African American students was between 5 and 7 percent. Finally, students in foster care were almost as likely (4 percent) to be of American Indian/Alaskan Native descent as the total (5 percent) K–12 statewide population but were less likely than low-SES students (7 percent). Each of the other racial/ethnic groups represents a small percentage (3 percent or less) in each of the three comparison populations.

Figure 2. Distribution of students by race/ethnicity and by gender, for students in foster care, low-socioeconomic-status students, and all students in Arizona public schools, 2012/13



Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

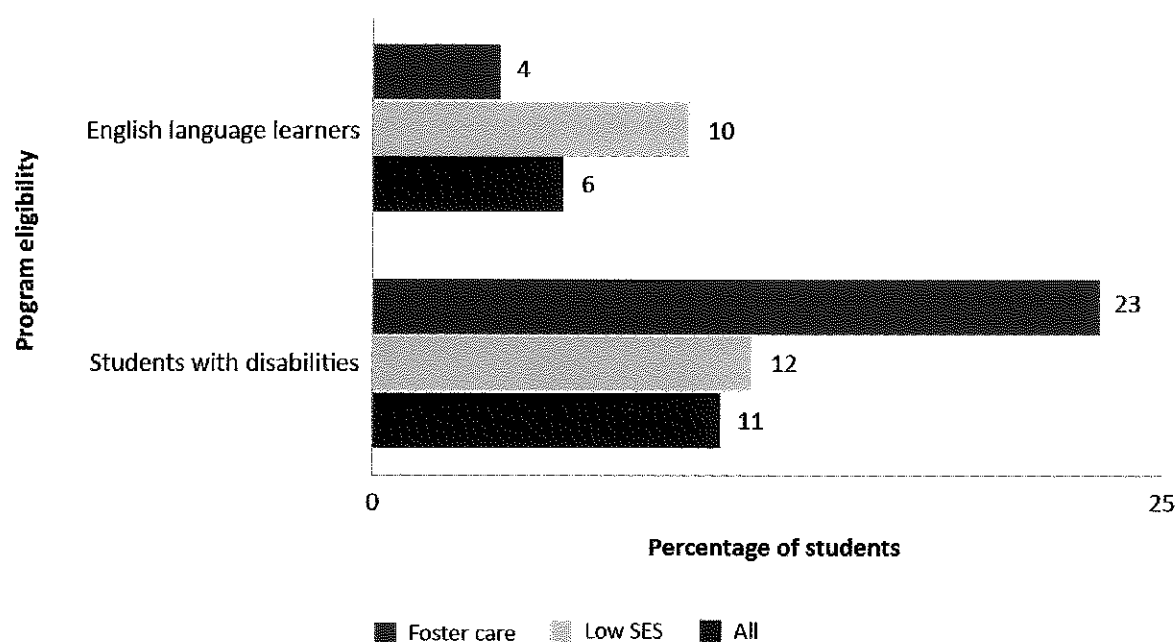
Note. Percentages are computed for 1,108,795 students ages 5–17, including 10,770 students in foster care and 535,681 low-socioeconomic-status students. Numbers and percentages for all demographic categories are presented in appendix table B1.

SES = socioeconomic status.

Nearly 1 in 4 students in foster care was classified with a disability.

Students in foster care qualified for special education services at a much higher rate than either comparison groups (figure 3). Nearly a quarter of students in foster care were classified with a disability (23 percent), twice the rate of low-SES students (12 percent) and the statewide student population (11 percent). In contrast, only 4 percent of students in foster care were classified as English language learners, a little under a half of the rate of low-SES students (10 percent) in the state and less than the rate of the statewide student population (6 percent).

Figure 3. Percentage of students eligible to receive English language and special education program supports, for students in foster care, low-socioeconomic-status students, and all students in Arizona public schools, 2012/13



Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

Note. Percentages are computed for 1,108,795 students ages 5–17, including 10,770 students in foster care, and 535,681 low-socioeconomic-status students. Numbers and percentages for all demographic categories are presented in appendix table B1.

SES = socioeconomic status.

Among students with disabilities, students in foster care had a higher rate of emotional disturbance.

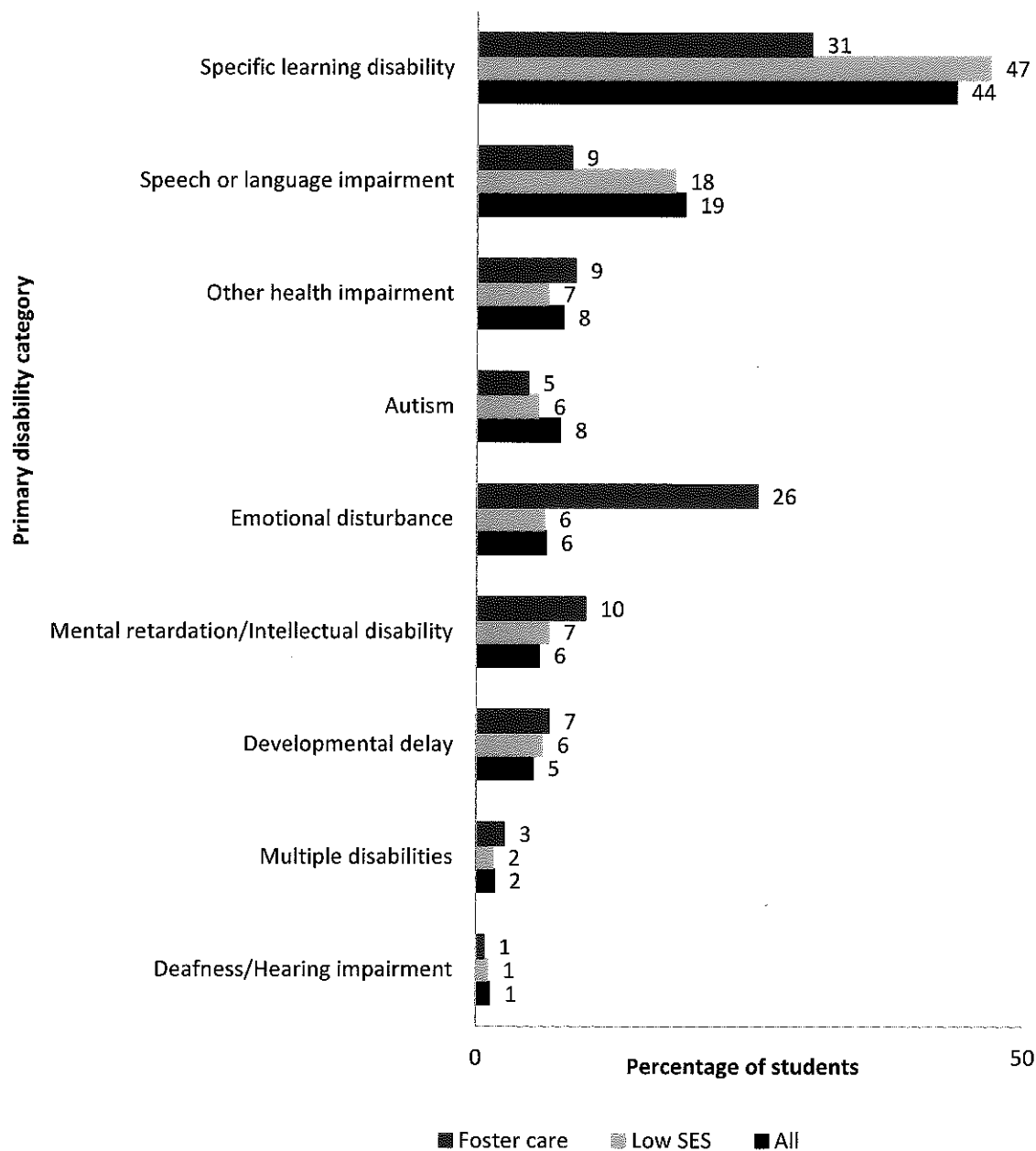
Figure 4 shows the breakdown by primary disability category for all students classified with a disability. Among students with disabilities, students in foster care had by far the highest rate of *emotional disturbance*, which is a disability associated with difficulty maintaining relationships, inappropriate behaviors, and depression. More than 1 in 4 (26 percent) students in foster care with a disability were classified with emotional disturbance, a rate over four times higher than the rate for low-SES students (6 percent) and for the statewide student population (6 percent).

Also notable was the higher rate of students in foster care classified with *intellectual disability* (10 percent) compared to low-SES students (7 percent) and all students in Arizona (6 percent). Intellectual disability is a disability associated with significant limitations in both intellectual functioning and in adaptive behavior, which covers many everyday social and practical skills.

The largest primary disability classification for students in foster care was *specific learning disability* (31 percent), an impairment associated with challenges related to thinking, reading, writing, and/or calculating. However, this percentage was smaller than for low-SES students (47 percent) and all students statewide (44 percent).

Students in foster care were also less than half (9 percent) as likely to be classified with a *speech or language impairment* as the comparison groups of low-SES students (18 percent) and all students statewide (19 percent).

Figure 4. Distribution of students with disabilities by primary disability category, for students in foster care, low-socioeconomic-status students, and all students in Arizona public schools, 2012/13



Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

Note. Percentages are computed for 111,682 students with disabilities, including 2,163 students in foster care and 61,463 low-socioeconomic-status students. Disability category information was missing for 6,064 students with disabilities (5 percent) including 3,184 low-socioeconomic-status students. Disability categories that represented 1 percent or less of all student populations, including deaf-blindness, traumatic brain injury, and visual impairment, are not included in the graph; the numbers and percentages are presented in appendix table B1.

SES = socioeconomic status.

Finding 2: Students in foster care were more likely than other students to change schools during the school year.

More than 40 percent of students in foster care changed schools at least once during the school year, about four times the rate of the low-SES or statewide student populations.

Students changing schools for reasons other than normal grade promotion is associated with a number of negative outcomes, such as lower achievement, a need for academic remediation, increased risk of dropout, and disruptions in peer relationships. At each new school there may also be problems transferring records and credits, causing students to repeat classes or grades or miss education services. For students in foster care, the effects of school change can be especially difficult, contributing to instability beyond that experienced through placement in foster care itself.

Students in foster care experience much higher rates of school mobility than other students (figure 5). While about 90 percent of the low-SES students and the statewide student populations attended the same school during the academic year, only 58 percent of students in foster care attended the same school for the full school year.

Over a quarter (27 percent) of students in foster care attended two schools during the year compared to less than 1 in 10 students in the comparison groups.

"I went to six high schools. Each year was different and difficult."

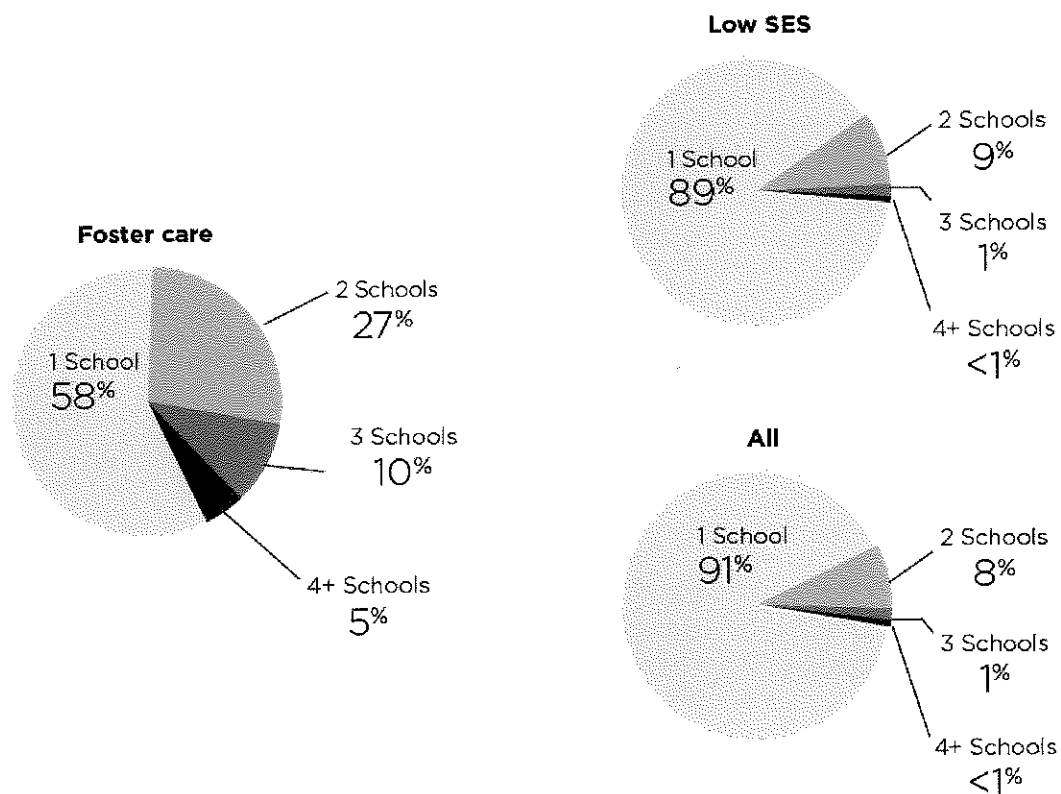
— Arizona student in foster care

"I changed schools a lot. At least a dozen times while in foster care, and that doesn't include all the schools I went to before I entered the system. I can't even remember some of their names."

— Arizona student in foster care

Furthermore, 15 percent of students in foster care attended three or more schools during the school year, a level of school mobility experienced by only about 1 percent of the low-SES and statewide student populations.

Figure 5. Number of schools attended during the 2012/13 school year, for students in foster care, low-socioeconomic-status students, and all students in Arizona public schools, 2012/13



Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

Note. Percentages are computed for 1,108,795 students ages 5–17, including 10,770 students in foster care and 535,681 low-socioeconomic-status students. Due to rounding, percentages may not add up to 100. Numbers and percentages are presented in appendix table B2.

SES = socioeconomic status.

Finding 3: Students in foster care were more likely than the statewide student population to be enrolled in low-performing schools.

Arizona A-F Letter Grade Accountability System

The A-F Letter Grade Accountability System was the state's accountability system during the 2012/13 school year. Through this accountability system, the state made annual accountability determinations for schools and local education agencies based on student academic outcomes and growth on standardized assessments.

- "A" schools demonstrated an excellent level of performance.
- "B" schools demonstrated an above average level of performance.
- "C" schools demonstrated an average level of performance.
- "D" schools demonstrated a below average level of performance.
- "F" schools demonstrated a failing level of performance. These schools scored a letter "D" for three consecutive years and, as a consequence, were placed in a school improvement program by the Arizona Department of Education.
- Schools with insufficient data were classified as "Not Rated."

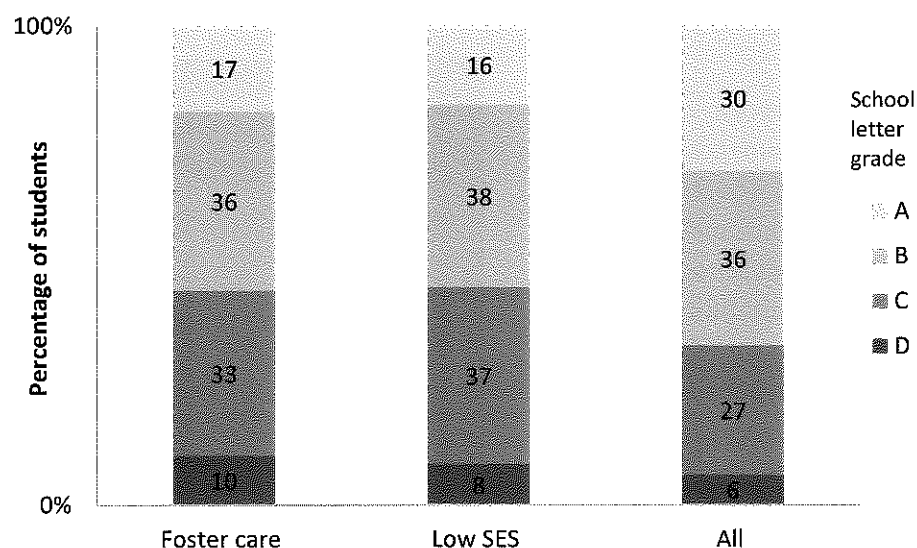
See <http://www.azed.gov/research-evaluation/files/2013/11/2013-a-f-technical-manual.pdf> for more detailed information.

Students in foster care, like low-SES students, were more likely to attend schools receiving lower A-F school letter grades.

Through its A-F Letter Grade Accountability System, Arizona makes annual accountability determinations for schools and districts based on student academic outcomes and growth on standardized assessments (see text box above and appendix A for details). Figure 6 presents the percentage of students in Arizona public schools by the school letter grade of their first school of enrollment during school year 2012/13. The percentages of students in foster care (17 percent) and low-SES students (16 percent) who attended the highest-performing schools in the state—schools with a letter grade of A—were nearly half of the percentage of all students in Arizona (30 percent) who attended these schools.

While the percentage of students who attended schools with a B letter grade was similar across all populations, 43 percent of students in foster care and 45 percent of low-SES students attended public schools that the state rated as C, D, or F, compared to 33 percent of all students statewide.

Figure 6. Percentage of students in foster care, low-socioeconomic-status students, and all students enrolled in Arizona public schools by the statewide school letter grade, 2012/13



Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

Note. Students in all category groups who attended schools with a letter grade of F represented less than 1 percent for each category and are not displayed. Students in all category groups who attended schools with a letter grade of "Not Rated" are also not included in the figure. For these reasons percentages may not add up to 100 percent.

Percentages are computed for 1,105,259 students ages 5–17, including 10,409 students in foster care and 535,007 low-socioeconomic-status students. The numbers and percentages of students enrolled in Arizona public schools by the statewide school letter grade are presented in appendix table B2.

SES = socioeconomic status.

Finding 4: Students in foster care were more likely to attend a nontraditional school than other students.

In high school, the percentage of students in foster care enrolled in nontraditional schools was over twice as high as for the other student groups.

Across grades K–12, some 11 percent of students in foster care were enrolled in nontraditional schools, compared with about 3 percent each for the other student population groups. Nontraditional schools were all schools evaluated through the alternative accountability system in Arizona as well as juvenile justice schools, non-public schools, and all other type of schools that were not traditional schools.

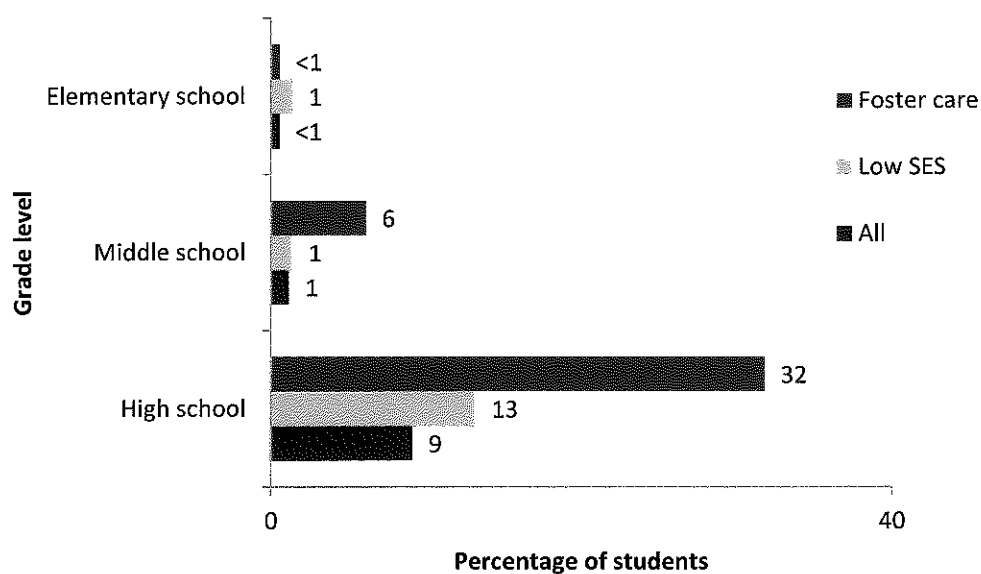
While the percentage enrolled in nontraditional schools was 1 percent or less for all groups in elementary schools, 6 percent of students in foster care in the middle grades (grades 6–8) attended a nontraditional school compared to 1 percent for the other two student populations (figure 7).

In high school, nearly one third of the students in foster care attended a nontraditional school compared to 13 percent for low-SES students and 9 percent for all students statewide.

“Moving around schools a lot, I noticed there were differences in quality. I graduated from a high school that didn’t offer the math classes I needed to get into college, so I took them on my own online. No one helped me.”

— Arizona student in foster care

Figure 7. Percentage of students enrolled in a nontraditional school for students in foster care, low-socioeconomic-status students, and all students in Arizona public schools, 2012/13



Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

Note. Percentages are computed for 1,108,795 students ages 5–17, including 10,770 students in foster care, and 535,681 low-socioeconomic-status students. The numbers and percentages of students enrolled in nontraditional schools by school levels are presented in appendix table B3.

SES = socioeconomic status.

Key findings about the academic achievement and education outcomes of students in foster care

Findings

5. Students in foster care had the lowest participation rate in Arizona's statewide testing program.
6. Statewide testing showed an achievement gap for students in foster care.
7. High school students in foster care had the highest dropout rate and among the lowest graduation rates.

The following three findings are based on comparisons of students in foster care with the statewide student population as a whole, as well as with three other at-risk subgroups—low-SES students, English language learners, and students with disabilities.

Finding 5: Students in foster care had the lowest participation rate in Arizona's statewide testing program.

At every grade level, students in foster care were less likely than the other student subgroups to participate in statewide testing.

At the time of this study, all Arizona public school students in grades 3–8 and 10 took Arizona's Instrument to Measure Standards (AIMS) in mathematics, reading, and writing (see text box on Arizona Standardized Tests in 2012/13). In addition, students of any grade could be administered the Arizona English Language Learner Assessment (AZELLA), a standards-based assessment that measures students' English language proficiency for students who have been identified as second language learners. Figure 8 charts the percentage of students who were tested in mathematics or reading with AIMS or AIMS Alternate (AIMS A) or took the AZELLA during the 2012/13 school year.

At every grade level, students in foster care were less likely than the other student groups to participate in statewide testing (figure 8).

The participation rate for the statewide population, as well as for all low-SES students, students with disabilities, and English language learners, was around 96 percent throughout the early grades. The participation rate decreased slowly over the grades to about 93 percent in grade 10 for the statewide population and low-SES students, and 91 percent for students with disabilities. For English language learners the participation rate started to decline in the middle school grades, dropping to 86 percent in grade 10. For students in foster care, 94 percent took a statewide assessment in grades 3 and 4, on par with the other subgroups. However, the rate of test taking started to decrease sharply in grade 7, dropping to 81 percent in grade 8, and 77 percent in grade 10.

Arizona Standardized Tests in 2012/13

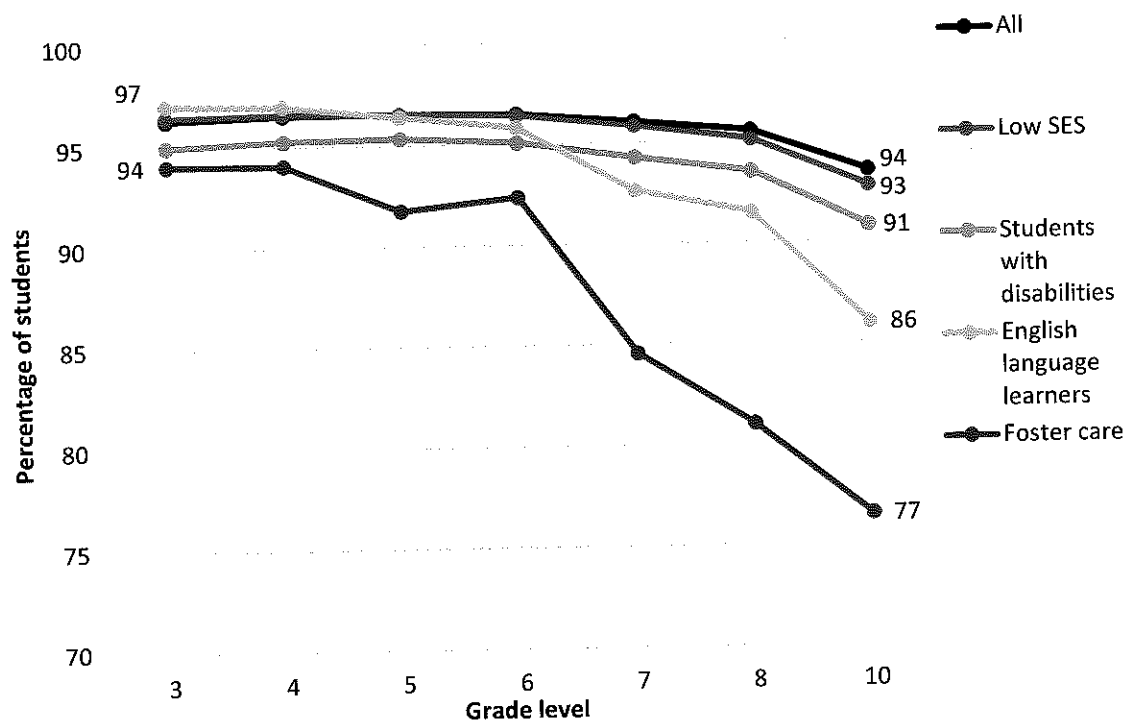
At the time of the study, Arizona's Instrument to Measure Standards (AIMS) was a standardized test administered by the state of Arizona. The state has since replaced this test with the Arizona Measurement of Educational Readiness to Inform Teaching (AzMERIT).

Students in grades 3–8 and 10 took the AIMS in mathematics, reading, and writing. For each assessment, students receive one of four ratings: *falls far below standard*, *approaches the standard*, *meets the standard*, or *exceeds the standard*, with a goal of meeting or exceeding state standards for all students. Students had to pass (i.e., achieve scores at the meets or exceeds the standard levels) the grade-10 exam in order to graduate from high school.

Arizona's Instrument to Measure Standards Alternate (AIMS A) was administered to eligible students with significant cognitive disabilities. This assessment was administered in mathematics, reading, and science and was aligned with the Arizona Alternate Academic Standards. This study reports the percentage of students who met or exceeded standards in AIMS or AIMS A in mathematics and reading in grades 3–8 and 10.

The Arizona English Language Learner Assessment (AZELLA) is a standards-based assessment that measures student English language proficiency for both placement and reassessment purposes. Students identified as second language learners on the state's Home Language Survey take the AZELLA placement test, and their scores determine placement for instruction.

Figure 8. Percentage of students who participated in statewide testing, by grade, for students in foster care, other at-risk student subgroups, and all students in Arizona public schools, 2012/13



Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

Note. The population of analysis includes only students that were ages 5–17. The numbers and percentages of students who participated in statewide testing are presented in appendix table B4.

Students who participated in statewide testing included students who were tested in reading or mathematics with the AIMS or AIMS A, or took the AZELLA during the 2012/13 school year.

SES = socioeconomic status.

Finding 6: Statewide testing showed an achievement gap for students in foster care.

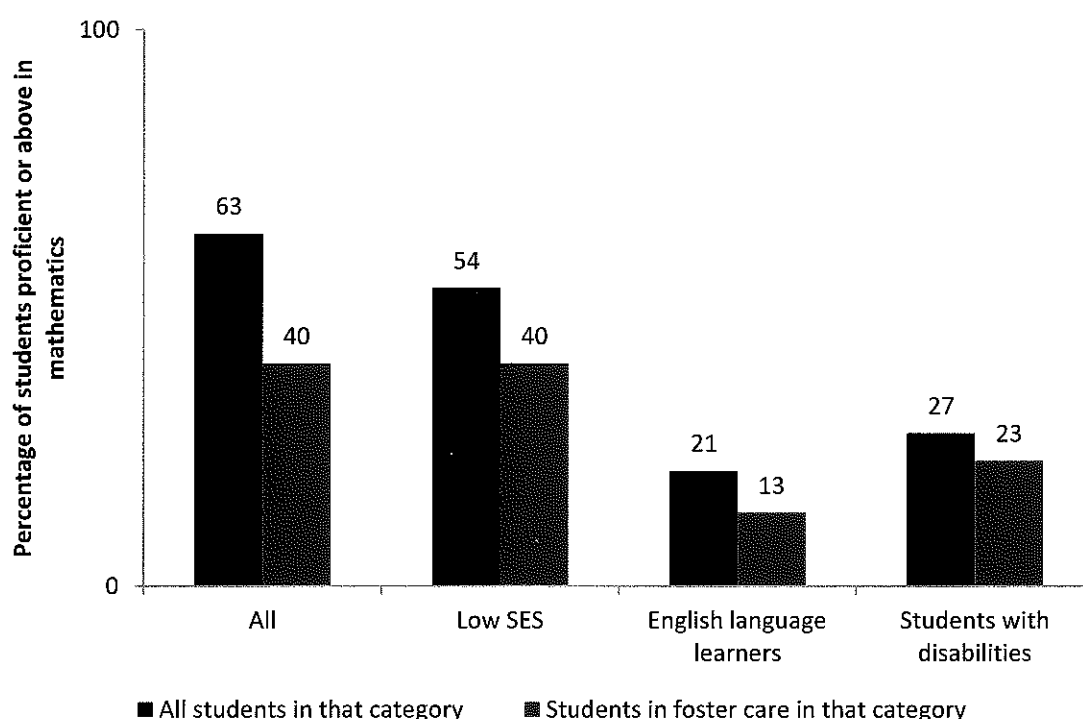
Students in foster care fell short in meeting or exceeding standards in mathematics and reading.

The AIMS/AIMS A results for mathematics in grades 3–8 and 10 during school year 2012/13, are presented in figure 9.

Only 40 percent of students in foster care met or exceeded standards in mathematics—far below the percentage of all students (63 percent) and low-SES students (54 percent) but above the percentage of students classified as English language learners (21 percent) or with disabilities (27 percent) who achieved at these levels (figure 9).

However, these achievement rates for students in foster care who were also classified as English language learners or as students with disabilities were below the rates for all English language learners and all students with disabilities. English language learners in foster care had the lowest levels of meeting or exceeding standards in mathematics of all subgroups (13 percent).

Figure 9. Percentage of students who met or exceeded standards in mathematics on the AIMS/AIMS A for students in foster care, other at-risk student subgroups, and all students in Arizona public schools, grades 3–8 and 10, 2012/13



Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

Note. All students in foster care are eligible for school free or reduced-priced lunch and, thus, are classified as low SES. The AIMS/AIMS A results in grade 10 are for students in the 2015 graduating cohort in grade 10. The numbers and percentages of students with AIMS/AIMS A scores are presented in appendix table B5.

AIMS = Arizona Instrument to Measure Standards; SES = socioeconomic status.

The AIMS/AIMS A results for reading in grades 3–8 and 10 are presented in figure 10.

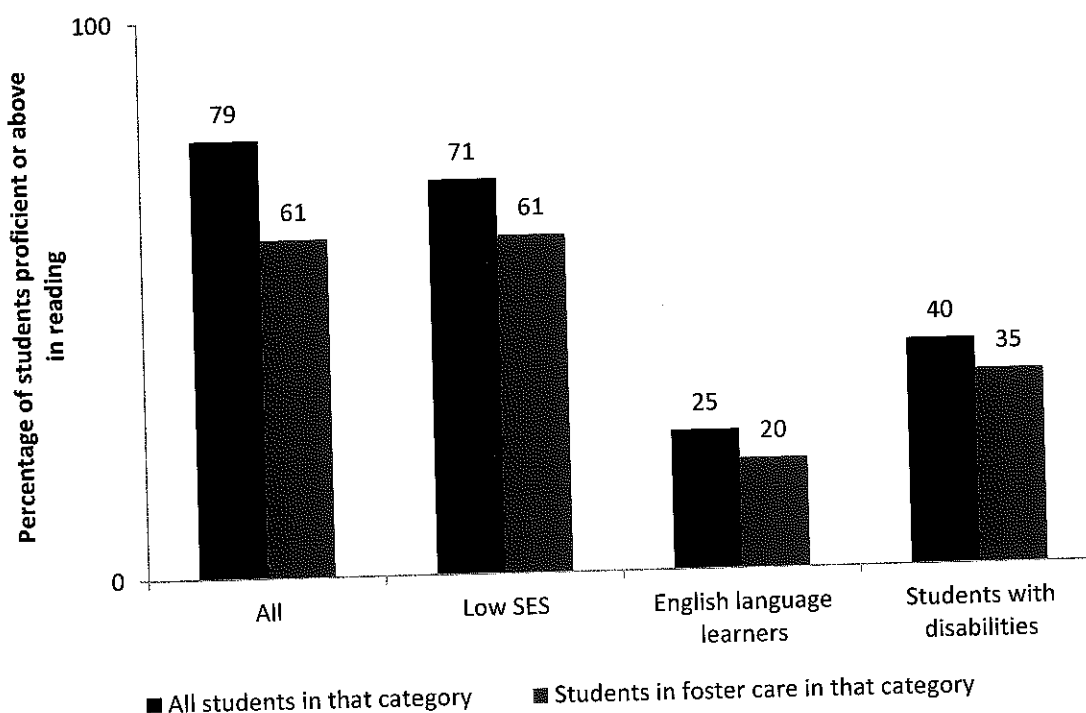
Only 61 percent of students in foster care met or exceeded standards in reading—below the percentage of all students (79 percent) and low-SES students (71 percent) achieving at this level but above the percentage for English language learners (25 percent) or students with disabilities (40 percent) who met or exceeded standards (figure 10).

“Academically, going to school was a cakewalk. Going to school and being treated so badly was a real challenge every day.”

— Arizona student in foster care

However, these achievement rates for students in foster care who were also classified as English language learners or as students with disabilities were below the rates for all English language learners and all students with disabilities. English language learners in foster care had the lowest level of achievement in reading (20 percent) of all subgroups.

Figure 10. Percentage of students who met or exceeded standards in reading on the AIMS/AIMS A for students in foster care, other at-risk student subgroups, and all students in Arizona public schools, grades 3–8 and 10, 2012/13



Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

Note. All students in foster care are eligible for school free or reduced-priced lunch and, thus, are classified as low SES. The AIMS/AIMS A results in grade 10 are for students in the 2015 graduating cohort in grade 10. The numbers and percentages of students with AIMS/AIMS A scores are presented in appendix table B5.

AIMS = Arizona Instrument to Measure Standards. SES = socioeconomic status.

Dropout and Graduation

Reducing dropout rates and boosting high school graduation rates are state education priorities. Because high school completion is so crucial to the future success of students and the state, Arizona educators closely monitor these rates for student subgroups already identified at risk of school failure; however, they have not yet begun to track these rates for students in foster care.

The dropout and graduation rates for this study were computed as follows:

Dropout rate: An event-rate methodology was used to calculate the single-year dropout rate for students in grades 9–12 in Arizona. It is a ratio of dropouts to the total enrollment of students enrolled during 2012/13. Dropouts included students who formally dropped out, withdrew from school without an excuse, had a status of unknown, or were expelled.

Grade-12 graduation: Students enrolled in grade 12 were counted as graduates only if they completed a course of study for high school; passed all three high school AIMS assessments required for graduation (i.e., mathematics, reading, and writing) or completed an individualized education program (IEP); and fulfilled the AIMS requirement specified in their IEP. Other types of completers, such as students who completed the General Equivalency Degree (GED) or students who completed a course of study at a Joint Technical Education District (JTED), did not earn a standard diploma and therefore, as is the convention nationally, were not included among the graduates.

Because students in foster care have the option to exit the child welfare system at age 18, the study population was restricted to students under age 18 at the start of school year 2012/13. This restriction especially affected the comparability of dropout and graduation rates and is likely to underestimate the final graduation rate for at-risk students who may have fallen behind in course credits and therefore needed more time to graduate.

The study data were for school year 2012/13 only and it was not possible to compute cohort graduation and dropout rates. Students who dropped out during the school year and returned in a subsequent year were still counted as dropouts in the study. Similarly, grade-12 students who did not graduate at the end of the school year but graduated in subsequent years were still counted as non-graduates.

Finding 7: High school students in foster care had the highest dropout rate and among the lowest graduation rates.

Students in foster care dropped out at a higher rate than the other at-risk student subgroups and the statewide student population.

Figure 11 presents the single-year dropout rate for students in grades 9–12—that is, the proportion of students enrolled in fall 2012 that dropped out during the 2012/13 school year. Across each of the student groups in this study, dropout rates increased at each high school grade level, from grade 9 through 12. Students in foster care had the highest dropout rate among the at-risk subgroups.

There are various ways to calculate a dropout rate, each describing the magnitude of the rate differently. The single-year rate, used in this study, typically produces the lowest dropout rate. The adjusted cohort rate—now used in Arizona—typically produces the highest and most complete rate, but it requires longitudinal data that were unavailable for this study.

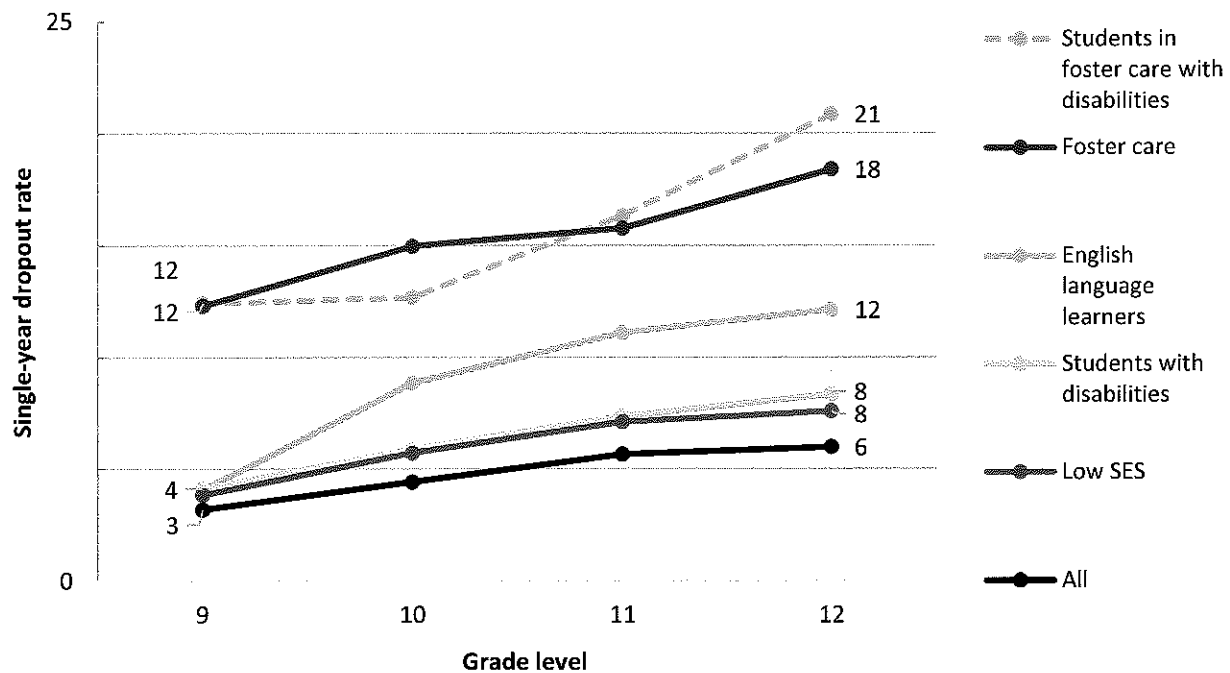
In grade 9, the percentage of students in foster care who dropped out (12 percent) was three times greater than the percentage for low-SES students (4 percent), English language learners (4 percent), or students with disabilities (4 percent), and four times the percentage of all students statewide (3 percent).

While the single-year dropout rate increased throughout high school for all groups of students, the dropout rate for students in foster care was consistently higher than all other comparison groups, peaking at 18 percent in grade 12, three times the rate for all students statewide and higher than the rates for low-SES students (8 percent), English language learners (12 percent), and students with disabilities (8 percent). Students in foster care also classified with disabilities had a dropout rate above the average dropout rate for grade-12 students in foster care, with 21 percent of those students dropping out of grade 12.

"Foster care was kind of rough. It was such a motivator for me to stick with school when a teacher was supportive, said 'good job,' helped me figure things out, took a special interest in me."

— Arizona student in foster care

Figure 11. Single-year dropout rate by high school grade level, for students in foster care, other at-risk student subgroups, and all students in Arizona public schools, 2012/13



Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

Note. Percentages are computed for 322,075 students age 17 or younger enrolled in grades 9–12; 3,202 students in foster care and 936 students with disabilities in foster care; 132,745 low-socioeconomic-status students; 4,987 English language learners; and 30,969 students with disabilities. Population size and numbers and percentages by grade level, are provided in appendix table B6.

SES = socioeconomic status.

Only about one third of students in foster care enrolled in grade 12 graduated at the end of the 2012/13 school year, one of the lowest graduation rates among the at-risk student subgroups.

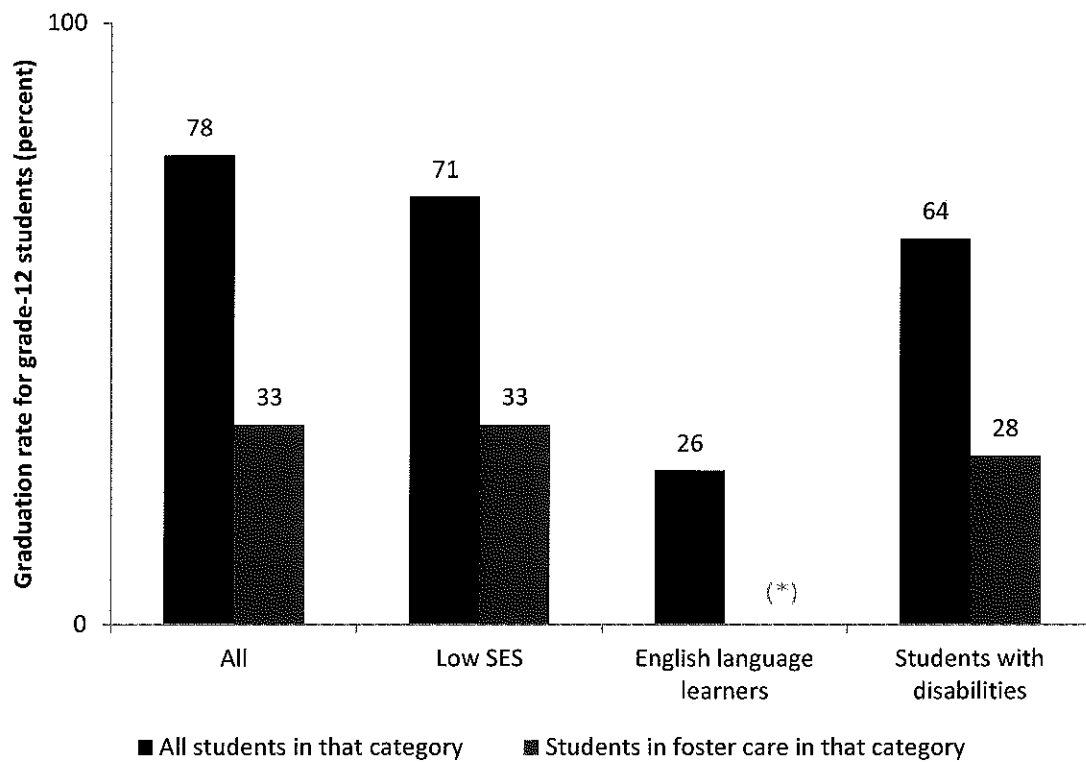
The statewide graduation rate for all grade-12 students in the study was 78 percent, but for students in foster care it was just 33 percent, one of the lowest rates among the at-risk student subgroups (figure 12). English language learners who had not been reclassified as English proficient by grade 12 also struggled to earn a diploma, with just 26 percent graduating.

"I plan to graduate but it's taking me extra time. I have to make up credits. I lost them by changing schools and missing finals."

— Arizona student in foster care

The graduation rate for grade-12 students in foster care was far below the rates for low-SES students (71 percent) and students with disabilities (64 percent). Students in foster care with disabilities had a graduation rate even lower than the rate for students in foster care, and far below the rate for all students with disabilities in the state.

Figure 12. Percentage of grade-12 students who graduated in 2013, for students in foster care, other at-risk student subgroups, and all students in Arizona public schools, 2012/13



Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

Note. Percentages are computed for 66,794 students age 17 or younger enrolled in grade 12; 500 students in foster care; 26,243 low-socioeconomic-status students; 470 English language learners; and 5,147 students with disabilities, of which 139 were students in foster care. Numbers and percentages of grade-12 graduates, by student subgroups, are provided in appendix table B7.

(*)The number of students in foster care classified as English language learners in grade 12 was too low for reporting the graduation rate.

SES = socioeconomic status.

Conclusion

This report focuses much-needed attention on students in foster care. By identifying the distressing achievement gap experienced by this student group, it does more than just define this education crisis. It provides a base of evidence needed for policymakers to move forward in addressing this important issue. K–12 students in foster care are unquestionably at a disadvantage in their education and typically show poor academic achievement and education outcomes. However, these students can also be amazingly resilient, and when they receive adequate academic and social supports they can succeed in school and beyond.

During the 2012/13 school year, over 10,000 public school students in Arizona—or about 1 percent of students—spent some period of time in foster care. Many districts served only a small number of these students, but for 11 percent of districts, enrollment rosters included at least 100 students in foster care.

What the study showed

New information shows that, as a group, students in foster care have a different demographic profile than their K–12 classmates statewide or than their classmates who are classified as low socioeconomic status (SES). According to the data used for this study, students in foster care were more likely to be African American or White but less likely than low-SES students to be Hispanic or to be classified as English language learners. They were twice as likely to be classified with disabilities. The study shows that students in foster care experienced much higher rates of school mobility than other students and were roughly four times more likely to change schools at least once during the school year. Furthermore, nearly 1 in 7 students in foster care attended three or more schools during the school year, a level of school mobility experienced by only about 1 percent of the low-SES and statewide student populations. Like low-SES students, a much greater proportion of students in foster care attended the state's low-performing schools compared to the statewide student population; compared to both the statewide student population and low-SES students, they were also more likely to attend nontraditional schools, especially in high school.

In terms of academics, students in foster care showed the lowest participation rate in Arizona's statewide testing program. For those students in foster care who did participate in state testing, their levels of meeting or exceeding standards in mathematics and reading were far below low-SES students and all students statewide. Finally, students in foster care had the highest dropout rate, and one of the lowest graduation rates among the at-risk student subgroups. The largest achievement gaps were evident for students in foster care who were also classified as English language learners or as students with disabilities. Like other at-risk student subgroups, students in foster care need and deserve education supports and services to narrow this gap and succeed in school.

A critical first step in this effort is to ensure that Arizona's educators and policymakers become aware of students in foster care as a distinct at-risk student population that is similar to, but different from, other at-risk student subgroups. For this to happen, these students must be counted. Then, educators and policymakers must be held accountable for supporting the success of this vulnerable student group. With backing from the state's

new child welfare accountability reforms, the time to work toward closing this achievement gap is now.

A call for further research

There is much more we must understand about the education experiences and outcomes of students in foster care. While this report focuses on examining the achievement gap for students in foster care in the context of other at-risk student groups in the state, we need to learn about how students' different foster-care experiences are associated with their education outcomes. Specifically, we must further examine academic outcomes in the context of students' experiences in foster care—including types of allegation that caused students' removal from their families, number and type of students' foster care placements, and length of time students are in the foster care system—to better understand how the foster care experience can influence their education outcomes. There is also a need to follow students throughout their education experiences to better understand the association of the number of course credits students accumulate and their drop out or graduation outcomes.

The study restricts the population of analysis to students under age 18 as of September 1, 2012, since students in foster care have the option to exit the child welfare system at age 18. However, like other at-risk students, such as English language learners and students with disabilities, students in foster care might fall behind in course credits and therefore need additional time to graduate from high school. A longitudinal analysis following students beyond their senior year would allow a fuller description of the education outcomes of students who were over-age for their grade in high school and could document their final high school outcomes.

In addition, other pertinent education outcomes need to be investigated to get a more complete picture of the education experiences of students in foster care. For example, as new student data become available and data-sharing agreements and collaboration between education and child welfare agencies become stronger, we can examine the rates of absenteeism, suspension, and expulsion, as well as completion of college preparation courses and participation in extracurricular activities. With additional data outside of the K-12 system, we can also document the preschool and postsecondary outcomes of students in foster care relative to other at-risk student subgroups to better understand what contributes to risk and resilience across their school experiences.

Finally, there is also a great deal to learn from students in foster care who, despite the odds against them, thrive academically and have positive school experiences.

Meanwhile, the need for action and accountability remains urgent. The stakes are high for the more than 10,000 children and youth in foster care who attend Arizona's public schools. They cannot afford to wait any longer.

References

- Barrat, V. X., & Berliner, B. (2013). *The invisible achievement gap, part 1: Education outcomes of students in foster care in California's public schools*. San Francisco: WestEd. Available at <http://www.wested.org/resources/the-invisible-achievement-gap-education-outcomes-of-students-in-foster-care-in-californias-public-schools-part-1/>
- Barth, R., Wildfire, J., & Green, R. (2006). Placement into foster care and the interplay of urbanicity, child behavior problems, and poverty. *American Journal of Orthopsychiatry*, 76(3), 358-366.
- Christian, S. (2003). *Educating children in foster care*. Washington, DC: National Conference of State Legislatures.
- Leone, P., & Weinberg, L. (2010). *Addressing the unmet educational needs of children and youth in the juvenile justice and child welfare systems*. Washington, DC: Center for Juvenile Justice Reform at Georgetown University. Available at <http://www.modelsforchange.net/publications/260>
- Putnam-Hornstein, E., Needell, B., King, B., & Johnson-Motoyama, M. (2013). Racial and ethnic disparities: A population-based examination of risk factors for involvement with child protective services. *Child Abuse & Neglect*, 37(1), 33-46.
- Smithgall, C., Gladden, R., Howard, E., George, R., & Courtney, M. (2004). *Educational experiences of children in out-of-home care*. Chicago, IL: Chapin Hall Center for Children at the University of Chicago.
- Wulczyn, F., Smithgall, C., & Chen, L. (2009). Child well-being: The intersection of schools and child welfare. *Review of Research in Education*, 33(1), 35-62.

Appendix A. Methodology

1. Populations of analysis

The data sources used in this study were extracts from administrative datasets from the Arizona Department of Education (ADE) and the Arizona Department of Child Safety (DCS) data systems.

ADE population of analysis

Student-level education data for all students ages 5 and over enrolled in an Arizona public school during school year 2012/13 were obtained from the ADE data system. These data contained information on student demographics, enrollment, statewide assessments, and school characteristics. The final population of analysis consisted of 1,108,795 students and was defined as follows:

- Students enrolled in an Arizona public school during school year 2012/13.
- Students ages 5 to 17 at the beginning of the school year (as of September 1, 2012).

DCS population of analysis

Individual records for children in foster care were obtained from the Arizona DCS. The population of children in child welfare in Arizona to be matched to the ADE population of analysis consisted of 12,064 children and was defined as follows:

- Children with an open out-of-home foster care placement at any point between August 1, 2012 and June 1, 2013.
- Students ages 5 to 17 at the beginning of the school year (as of September 1, 2012).

2. Linked analysis dataset

Although each system—ADE and DCS—has its own unique child identifier, there is no common identifier that links a child between both systems. Therefore, this study's researchers needed to develop a process to match the records for each individual child across both systems.

This study used a deterministic and fuzzy sequential matching process, in which the names of individuals, as well as date of birth, and city of school, were used to link across the two databases.

The methodology for constructing the linked analysis dataset is described below.

Preparation for making the match

Before starting the matching process, students' first name, last name, and date of birth were thoroughly examined to evaluate their discriminating power and the presence of compound/hyphenated names. Additional variables available in both datasets (i.e., gender, ethnicity, and city of school) were also examined and researchers set up a process for using that additional information to sort out duplicate matching.

Discriminating power of the matching fields: Because ADE data represent the population of students to be matched, the specificity of the planned matching variables on the ADE dataset were examined: out of 1,108,795 records in the ADE population, there are total number of 1,107,697 combinations of first names, last names, and dates of birth, and only 1,092 of those combinations appeared more than one time, representing a percentage of duplicate values among the matching variables of less than 0.1 percent. When the gender, city of school, school identification, and ethnicity were added to the combination for each individual student in an effort to sort out the duplicates, virtually all records that had this information available were unduplicated.

Compound/hyphenated names: The name fields were evaluated for the presence of compound/hyphenated names (names with two or more words separated by a blank or a special character in the same data field) since the presence of several names in a field can create difficulties in accurately matching individuals across datasets. The percentage of compound/hyphenated last names in the ADE and DCS datasets was 12 percent and 7 percent, respectively.

In cases of compound/hyphenated names, three versions of each name were kept in three separate fields: one corresponding to the name as it was provided with no blank or separator, one storing only the first part (as defined by the presence of a blank or special character) of the compound/hyphenated name, and a third one storing the second part. All fields were used sequentially in the matching process.

Control variables for duplicate matching: When a DCS client matched to more than one ADE student, the city of school and the city of placement were examined to unduplicate the data.

Process for making the match

The matching process was developed as six successive steps written in SAS software.* The process used a sequence of deterministic and fuzzy matches using the SAS software SOUNDEX function.

Step 1 of the process to match individuals in the two datasets used the exact text strings recorded for first names, last names, and dates of birth to match the two datasets.

Because of the prevalence of compound/hyphenated names, steps 2 and 3 were structured to capture different combinations for entering compound/hyphenated last names along with the birth date. Step 2 of the match used only the first word (as separated by a blank or special character) from the first name and the first word in the last name; step 3 used the first word in the first name field and the second word in the last name field.

Steps 4, 5, and 6 repeated the sequence of steps 1–3 but, instead of relying on the spelling of names, these steps used a SOUNDEX transformation on the first and last name fields. The SOUNDEX is an algorithm that codes a name as a short sequence of characters and numerals based on the way a name sounds.

* Version 9.3 of the SAS System for Windows. Copyright © 2002–2003 SAS Institute Inc.

From one step to the next, only the residual records—those not matched in a previous step—were kept in the pool to be matched in a subsequent step. At each step, the set of DCS children who matched exactly to only one student in the ADE dataset were kept as final matches, while the set of DCS children for whom there were duplicate matches in the ADE dataset were further studied to be unduplicated. When a DCS child matched to more than one ADE student, we looked at city of school and city of placement to pick the right match. If a one-to-one match could be achieved using the additional information, the record was identified as a final match. If confirming data (i.e., city of school and city of placement) were not available for any of the duplicate records, or if the data were available but the information was the same for all duplicates, then we did not unduplicate the data and the DCS child did not get matched.

The final total number of matches was 10,770 out of 12,064 DCS children (an 89 percent match rate). Furthermore, the match rate obtained for this study is likely an underestimation because DCS children with delayed entry in school (i.e., starting kindergarten after age 5), who dropped out of school, or who did not attend a public school, would not be expected to appear in the ADE data system.

3. Analysis variables

Variables of analysis are described below.

Student characteristics

For all students, the demographic variables of gender, race/ethnicity, and date of birth, and the status variables of English language learner, low socioeconomic status, and student with disabilities were taken from the ADE administrative records as of fall 2012 data. In addition:

- **Age** was computed as of September 1, 2012.
- **Low-socioeconomic-status (low-SES) students** are those whose family income qualifies for the school free or reduced-price lunch program. Children from families with incomes at or below 130 percent of the poverty level are eligible for free meals. Those with incomes between 130 percent and 185 percent of the poverty level are eligible for reduced-price meals. (For the school year 2012/13, 130 percent of the poverty level was \$29,965 for a family of four; 185 percent was \$42,643.)
- **English language learners** are students whose primary language is not English and who have a less than proficient overall proficiency level on the Arizona English Language Learner Assessment. Those students are considered to lack the level of English language skills that is necessary to succeed in the school's regular instructional program and are enrolled in special language services.
- **Students with disabilities** are students classified with a disability who are eligible for special education services. The disability type reported is the primary disability type of record in the ADE data system.

School characteristics

Using ADE student enrollment records for school year 2012/13, the full history of enrollment throughout the school year was defined, allowing the identification of the first school of enrollment of the school year as well as all subsequent schools attended throughout school year 2012/13. All reported school and district characteristics correspond to the first school of enrollment of the school year.

School type: Nontraditional schools were all schools evaluated through the alternative accountability system in Arizona as well as juvenile justice schools, non-public schools, and vocational training facilities. Schools evaluated through the alternative accountability system are schools that have adopted a mission statement that clearly identifies as its purpose an intent to serve students in one or more of the following categories:

- Students with behavioral issues.
- Students identified as dropouts.
- Students in poor academic standing who are either severely behind on academic credits or have demonstrated a pattern of failing grades.
- Pregnant and/or parenting students.
- Adjudicated youth.

Letter school grades: The A–F Letter Grade Accountability System was the state’s accountability system during the 2012/13 school year. It was first adopted for school year 2011/12. Through this accountability system, the state made annual accountability determinations for schools and local education agencies based on student academic outcomes and growth on standardized assessments. The A–F letter grades place equal value on achievement during the latest year and on longitudinal academic growth. Adjusting for student mobility by including only students who were enrolled during the full academic year, the A–F letter grade accountability system includes the following:

1. Percentage of students meeting academic standards.
2. Longitudinal indicators of relative student gain.
3. Longitudinal indicators of relative student gain for low-performing cohorts (i.e., the 25 percent of pupils with the lowest academic performance measurement enrolled at the school or local education agency).
4. Indicators of progress for English language learners.
5. Annual graduation rate and dropout rate for high schools only.

The Arizona State Board of Education created the following descriptions for the A–F letter grades:

- “A” schools demonstrate an excellent level of performance. For example, “A” schools earn points equal to a school that has 90 percent of students passing Arizona’s Instrument to Measure Standards (AIMS) or AIMS Alternate (AIMS A) and achieves greater academic growth with its population of students than most schools.
- “B” schools demonstrate an above average level of performance. For example, “B” schools earn points equal to a school that has 70 percent of students

passing AIMS/AIMS A and generally achieves typical or greater academic growth with its population of students than most schools.

- “C” schools demonstrate an average level of performance. For example, “C” schools earn points equal to a school that has 50 percent of students passing AIMS/AIMS A and generally achieves typical academic growth with its population of students than most schools.
- “D” schools demonstrate a below average level of performance. For example, “D” schools earn fewer points than a school that has 50 percent of students passing AIMS/AIMS A and does not achieve typical or greater academic growth with its population of students than most schools.
- “F” schools are those that score as a “D” school for three consecutive years. “F” schools are placed in school improvement by the Arizona Department of Education.

Number of schools attended during the school year

All enrollment records were taken into account to compute the number of schools attended during school year 2012/13 with the exception of:

- A change of enrollment within the same school: two successive enrollment records at the same school were not considered as a school change.
- Dual enrollment periods: if the dates of an entire enrollment period were totally overlapping with another entire enrollment period only one school was counted.

Academic outcomes

Arizona’s Instrument to Measure Standards (AIMS): At the time of the study, AIMS was a standardized test administered by the state of Arizona. The state has since replaced this test with the Arizona Measurement of Educational Readiness to Inform Teaching (AzMERIT). In 2010, the Arizona State Board of Education adopted new standards in mathematics and English language arts for all students in Arizona; AIMS tested the old standards whereas AzMERIT is based on the new standards. Spring 2014 was the last time AIMS was administered for mathematics, reading, and writing.

During school year 2012/13, students in grades 3–8 and 10 took the AIMS in mathematics, reading, and writing. For each assessment, students received one of four ratings: *falls far below standard*, *approaches the standard*, *meets the standard*, or *exceeds the standard*, with a goal of meeting or exceeding state standards for all students. Students did not need to pass (i.e., achieve scores at the meets or exceeds the standard levels) the AIMS to be promoted to the next grade, but passing the grade 10 AIMS test was a graduation requirement.

Arizona’s Instrument to Measure Standards Alternate (AIMS A) was administered to eligible students with significant cognitive disabilities. This assessment was administered in mathematics, reading, and science and was aligned with the Arizona Alternate Academic Standards. This study reports the percentage of students who met or exceeded standards in AIMS or AIMS A in mathematics and reading in grades 3–8 and 10.

Arizona English Language Learner Assessment (AZELLA) is a standards-based assessment that measures students' English language proficiency for both placement and reassessment purposes. Students with English as a second language on the state's Home Language Survey take the AZELLA placement test, and their scores determine placement for instruction.

Standardized testing participation: The percentage of students participating in the statewide assessments included the number of students in grades 3–8 and 10 who were tested in mathematics or reading with the AIMS or AIMS A, or took the AZELLA during the 2012/13 school year divided by the total number of students enrolled at any point during the school year in the corresponding grades. This rate is by construction different than the accountability participation rate that uses the number of students enrolled at the time the test is administered.

Percentage of students meeting or exceeding standards: The percentages of students who met or exceeded the standards were reported for students who took:

- The Reading AIMS or AIMS A in grades 3–8 and 10.
- The Mathematics AIMS or AIMS A in grades 3–8 and 10.

Only grade-10 students in the 2015 graduating cohort who were expected to be in grade 10 in 2012/13 and to graduate in 2015 were included in the percentages of students meeting or exceeding the standards.

Dropout and graduation outcomes

Dropout rate: An event rate methodology was used to calculate the single-year dropout rate for students in grades 9–12 in Arizona. It is a ratio of dropouts to the total enrollment of students enrolled during 2012/13. Dropout status was obtained from the year-end or exit codes included with the ADE enrollment records. Dropouts include students who formally dropped out, withdrew from school without an excuse, had a status of unknown, or were expelled.

Grade-12 graduation: For students who were enrolled in grade 12 at the beginning of school year 2012/13, the graduation status at the end of the school year was obtained from the year-end or exit codes included with the ADE enrollment records. In 2012/13, students were counted as graduates only if they completed a course of study for high school; passed all three high school AIMS assessments required for graduation (i.e., mathematics, reading, and writing) or completed an individualized education program (IEP); and fulfilled the AIMS requirement specified in their IEP. Other types of completers, such as students who completed the General Equivalency Degree (GED) or students who completed a course of study at a Joint Technical Education District (JTED) were not included among the graduates.

4. Study limitations

A limitation of this study is the restriction of the population of analysis to students under age 18 as of September 1, 2012. While students in the population could turn 18 during the period of study, the population was defined in a way that recognized students in foster

care having the option to exit the child welfare system at age 18, which a number of students in foster care did. Therefore, students in foster care can only be compared to other students who are in the same age range. By excluding students older than 17, this snapshot of students cannot be compared to similar reports on the K–12 statewide population in its entirety. This restriction especially affected the comparability of high school outcome rates—such as for graduation and dropping out—and is likely to underestimate the final graduation rate for at-risk students who may have fallen behind in course credits and therefore need more time to graduate, including students in foster care, English language learners, and students with disabilities.

Another limitation is that the number of students in foster care reported by district is based on students' first school of enrollment during school year 2012/13. Given the changing foster care status of these students, and their high rates of school mobility, the number of students reported by district is likely an undercount.

Additionally, the data were only for the school year 2012/13 and it was not possible for this study to compute cohort graduation and dropout rates, which is the recommended convention for reporting these outcomes. Instead single-year dropout rates and grade-12 graduation rates were reported. In particular, the single-year dropout rate provides information only on students who drop out and fail to return during 2012/13. Students who dropped out during the school year and returned in a subsequent year to complete their high school education were still counted as dropouts in the study. Similarly, grade-12 students in 2012/13 who did not graduate in 2012/13 but remained enrolled in 2013/14 and graduated were still counted as non-graduates in our study.

Lastly, despite the study achieving a high matching rate, it is likely that some children with a placement in foster care during the period of study were not identified as a student in foster care.

Appendix B. Frequency tables

Table B1. Number and percentage of students by demographic characteristics, for all students, low-socioeconomic-status students, and students in foster care in Arizona public schools, 2012/13

Demographic characteristic		All		Low SES		Foster care	
		Number	Percent	Number	Percent	Number	Percent
Gender	Female	540,921	48.8	260,953	48.7	5,109	47.4
	Male	567,874	51.2	274,728	51.3	5,661	52.6
Race/Ethnicity	Hispanic/Latino	478,330	43.1	312,962	58.4	4,696	43.6
	White	459,582	41.5	129,656	24.2	3,983	37.0
	Black/African American	60,099	5.4	35,365	6.6	1,282	11.9
	American Indian/Alaska Native	54,817	4.9	38,283	7.2	462	4.3
	Asian	30,976	2.8	8,608	1.6	43	0.4
	Multiracial not Hispanic	21,841	2.0	9,406	1.8	278	2.6
	Native Hawaiian/Other Pacific Islander	3,134	0.3	1,397	0.3	26	0.2
	Unknown	16	<0.1	-	-	-	-
English language learners	Yes	67,894	6.1	53,612	10.0	410	3.8
	No	1,040,901	93.9	482,069	90.0	10,360	96.2
Students with disabilities	Yes	117,746	10.6	64,647	12.1	2,473	23.0
	No	991,049	89.4	471,034	87.9	8,297	77.0

Demographic characteristic		All		Low SES		Foster care	
		Number	Percent	Number	Percent	Number	Percent
Disability category	Specific learning disability	48,925	43.8	28,839	46.9	662	30.6
	Speech or language impairment	21,235	19.0	11,128	18.1	187	8.7
	Other health impairment	8,835	7.9	4,016	6.5	195	9.0
	Autism	8,520	7.6	3,474	5.7	101	4.7
	Emotional disturbance	7,079	6.3	3,804	6.2	556	25.7
	Mental retardation/ Intellectual disability	6,414	5.7	4,071	6.6	215	9.9
	Developmental delay	5,785	5.2	3,712	6.0	-	-
	Multiple disabilities	1,885	1.7	991	1.6	56	2.6
	Deafness/ Hearing impairment	1,442	1.3	684	1.1	16	0.7
	Orthopedic impairment	647	0.6	302	0.5	12	0.6
	Visual impairment	483	0.4	219	0.4	-	-
	Traumatic brain injury	308	0.2	168	0.3	-	-
	Deaf-blindness	124	0.1	55	0.1	-	-

Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

Note. Disability category information was missing for 6,064 students with disabilities (0.55 percent) including 3,184 low-socioeconomic-status students and 246 students with disabilities.

"-" masks low cell sizes.

SES = socioeconomic status.

Table B2. Number and percentage of all students, low-socioeconomic-status students, and students in foster care in Arizona public schools, by school characteristics, 2012/13

		All		Low SES		Foster care	
		Number	Percent	Number	Percent	Number	Percent
Number of schools attended during the school year	1 school	1,007,477	90.9	477,947	89.2	6,184	57.4
	2 schools	87,003	7.9	49,199	9.2	2,951	27.4
	3 schools	11,554	1.0	6,910	1.3	1,112	10.3
	4+ schools	2,761	0.3	1,625	0.3	523	4.9
Grade on Arizona's A-F Letter Grade Accountability System	A	331,305	30.0	87,494	16.4	1,809	17.4
	B	398,345	36.0	200,906	37.6	3,773	36.3
	C	294,453	26.6	195,274	36.5	3,484	33.5
	D	68,581	6.2	44,762	8.4	1,036	10.0
	F	4,820	0.4	2,417	0.5	45	0.4
	NR	7,755	0.7	4,154	0.8	262	2.5

Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

Note. Statewide school academic performance letter grade was missing for 3,536 students, including 674 low-socioeconomic-status students and 361 students in foster care.

SES = socioeconomic status.

Table B3. Number and percentage of students enrolled in traditional and nontraditional schools, for all students, low-socioeconomic-status students, and students in foster care in Arizona public schools, by school levels, 2012/13

School level	School type	All		Low SES		Foster care	
		Number	Percent	Number	Percent	Number	Percent
All school levels	Traditional	1,073,479	96.8	514,889	96.1	9,547	88.6
	Nontraditional	35,316	3.2	20,792	3.9	1,223	11.4
Elementary school	Traditional	523,715	99.4	271,337	99.4	5,428	98.6
	Nontraditional	2,930	0.6	1,545	0.6	77	1.4
Middle school	Traditional	256,777	98.8	128,141	98.6	1,932	93.9
	Nontraditional	3,002	1.2	1,776	1.4	126	6.1
High school	Traditional	292,711	90.9	115,276	86.8	2,184	68.2
	Nontraditional	29,364	9.1	17,469	13.2	1,018	31.8

Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.
SES = socioeconomic status.

Table B4. Number and percentage of students who participated in Arizona's statewide testing, for all students, students in foster care, and other at-risk student subgroups in Arizona public schools, grades 3–8 and 10, 2012/13

Student subgroup	Grade level	Number of students tested	Total enrolled in fall 2012	Percent tested
All	All grades (3–8,10)	579,984	604,895	95.9
	3	84,127	87,281	96.4
	4	84,121	87,106	96.6
	5	83,187	86,147	96.6
	6	83,545	86,588	96.5
	7	83,500	86,931	96.1
	8	82,400	86,260	95.5
	10	79,104	84,582	93.5
	All grades (3–8,10)	4,623	5,290	87.4
Foster care	3	786	835	94.1
	4	699	743	94.1
	5	647	705	91.8
	6	593	642	92.4
	7	592	700	84.6
	8	580	716	81.0
	10	726	949	76.5
	All grades (3–8,10)	289,213	301,986	95.8
	3	1,582	44,037	96.5
Low SES	4	1,526	43,598	96.6
	5	1,529	42,884	96.6
	6	1,573	42,546	96.4
	7	1,803	41,522	95.8
	8	2,081	40,392	95.1
	10	2,679	34,234	92.7
	All grades (3–8,10)	289,213	301,986	95.8
	3	1,582	44,037	96.5
	4	1,526	43,598	96.6

Student subgroup	Grade level	Number of students tested	Total enrolled in fall 2012	Percent tested
English language learners	All grades (3–8,10)	24,472	25,585	95.7
	3	6,328	6,515	97.1
	4	6,543	6,745	97.0
	5	4,613	4,785	96.4
	6	3,100	3,235	95.8
	7	1,586	1,712	92.6
	8	1,204	1,316	91.5
	10	1,098	1,277	86.0
Students with disabilities	All grades (3–8,10)	66,310	70,338	94.3
	3	9,458	9,951	95.1
	4	10,140	10,642	95.2
	5	10,199	10,698	95.3
	6	9,924	10,440	95.1
	7	9,599	10,183	94.3
	8	9,135	9,770	93.5
	10	7,855	8,654	90.8

Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

Note. Students who participated in statewide testing included students who were tested in mathematics or reading with the AIMS or AIMS A, or took an AZELLA during the 2012/13 school year.

SES = socioeconomic status.

Table B5. Number and percentage of students who met or exceeded standards in mathematics and reading on the AIMS/AIMS A, for all students, students in foster care, and other at-risk student subgroups in Arizona public schools, grades 3–8 and 10, 2012/13

AIMS content area	Student subgroup	Number of students with AIMS/AIMS A scores	Number of students who met or exceeded standards on the AIMS/AIMS A	Percentage of students who met or exceeded standards on the AIMS/AIMS A
Mathematics	All	576,933	365,391	63.3
	Foster care	4,502	1,801	40.0
	Low SES	287,365	153,763	53.5
	English language learners	24,059	4,984	20.7
	English language learners in foster care	152	20	13.2
	Students with disabilities	65,852	18,069	27.4
	Students in foster care with disabilities	1107	249	22.5
Reading	All	577,677	454,583	78.7
	Foster care	4,544	2,761	60.8
	Low SES	287,868	204,230	71.0
	English language learners	24,060	5,992	24.9
	English language learners in foster care	152	30	19.7
	Students with disabilities	65,964	26,687	40.5
	Students in foster care with disabilities	1110	387	34.9

Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

Note. The AIMS/AIMS A results in grade 10 are for students in the 2015 graduating cohort in grade 10.

AIMS = Arizona Instrument to Measure Standards; SES = socioeconomic status.

Table B6. Single-year dropout rate by grades 9–12 for all students, students in foster care, and other at-risk student subgroups in Arizona public schools, 2012/13

Student subgroup	Grade level	Number of students	Number of students who dropped out	Percentage of students who dropped out
All	Grades 9–12	322,075	15,211	4.7
	9	88,434	2,818	3.2
	10	84,582	3,735	4.4
	11	82,265	4,660	5.7
	12	66,794	3,998	6.0
Foster care	Grades 9–12	3,202	479	15.0
	9	903	111	12.3
	10	949	142	15.0
	11	850	134	15.8
	12	500	92	18.4
Low SES	Grades 9–12	132,745	7,896	6.0
	9	35,155	1,351	3.8
	10	36,913	2,109	5.7
	11	34,434	2,444	7.1
	12	26,243	1,992	7.6
English language learners	Grades 9–12	4,987	364	7.3
	9	2,348	95	4.1
	10	1,277	113	8.9
	11	892	99	11.1
	12	470	57	12.1

Student subgroup	Grade level	Number of students	Number of students who dropped out	Percentage of students who dropped out
English language learners in foster care	Grades 9–12	39	<15	-
	9	<15	-	-
	10	<15	-	-
	11	<15	-	-
	12	<15	-	-
Students with disabilities	Grades 9–12	30,969	1,905	6.2
	9	9,193	379	4.1
	10	8,654	509	5.9
	11	7,975	587	7.4
	12	5,147	430	8.4
Students in foster care with disabilities	Grades 9–12	926	137	14.8
	9	266	33	12.4
	10	276	35	12.7
	11	245	40	16.3
	12	139	29	20.9

Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

"-" masks low cell sizes.

SES = socioeconomic status.

Table B7. Number and percentage of grade-12 students who graduated, for all students, students in foster care, and other at-risk student subgroups in Arizona public schools, 2012/13

Student subgroup	Number of students in grade 12	Number of grade-12 students who graduated at end of school year	Percentage of grade-12 students who graduated at end of school year
All	66,794	52,060	77.9
Foster care	500	166	33.2
Low SES	26,243	18,633	71.0
English language learners	470	120	25.5
English language learners in foster care	<15	-	-
Students with disabilities	5,147	3,300	64.1
Students in foster care with disabilities	139	39	28.1

Source. Authors' analysis of linked administrative data from the Arizona Department of Education and Arizona Department of Child Safety, 2012/13.

"-" masks low cell sizes.

SES = socioeconomic status.



Arizona's Invisible Achievement Gap

*Education Outcomes of Students in Foster Care in
the State's Public Schools*

H.B. 2088 as amended solves three problems:

First, 2088 protects students' most personal, private information – information the student and parent may not even know or understand.

This type of data is called by many names: A.R.S. calls it nontest. Also known as non-academic, character, leadership, executive functions, etc. These are qualities that cannot be defined or measured by traditional academic tests.

The direction we are moving in this brave new world is toward instruments that collect this data from pupils, even in tests the pupils are forced to take, such as Arizona's College and Career Ready standards as measured by the AZMerit test.

A few examples:

Gary Thompson, Psy.D. From his bio: I am an African American Doctor of Clinical Psychology currently serving as Director of Clinical Training & Community Advocacy at a private child psychology clinic in South Jordan, Utah.

He wrote:

According to the U.S. Department of Education, CCSS [Common Core State Standards] will authorize the use of testing instruments that will measure the “attributes, dispositions, social skills, attitudes and intra personal resources” of public school students under CCSS (USDOE Feb, 2013 Report). In a nutshell, CCSS simply states that it will develop highly effective assessments that measures....well....almost “everything.”

Our clinic performs these comprehensive IEE's (Individual Education Evaluations) on a daily basis. . . . A careful, or even a casual review of a “comprehensive evaluation” would clearly show that the level of information provided about a particular child is both highly sensitive and extremely personal in nature. They are also extremely accurate. . . .

When placed in the “right” hands of trained mental health professionals, psychological testing can save lives. Placed in the “wrong” hands, psychological testing can ruin lives as well as cause psychological trauma to people if they have knowledge that their results were used for nefarious purposes. (<http://truthinamericaneducation.com/?s=a+mental+health+perspective>)

Also see

2/1/2016 “K-12 Dealmaking: Apple Acquires Learnspout; Pearson, Knewton Turn to Adaptive Math.” <https://marketbrief.edweek.org/marketplace-k-12/k-12-dealmaking-apple-acquires-learnspout-pearson-knewton-turn-to-adaptive-math/>

- Learnspout “helps K-12 educators 'use data to analyze the past understand the present, and anticipate the future,' according to the company's Twitter page.”
- “We're excited to further expand our partnership with Pearson,” said Jose Ferreira, founder and CEO of Knewton, adding that “analyzing real-time data showing what students know and assessing how they learn best is core to our approach.”

11/6/2015 "The Ever-growing Ed-Tech Market. The industry is worth \$8 billion, even though skeptics question whether the new products will improve learning."
<http://www.theatlantic.com/education/archive/2015/11/quantifying-classroom-tech-market/414244/>

2088 protects student nontest data by:

- Defining nontest data (previously undefined) (bottom of p. 2)
- Adds student data privacy protection to what the State Board of Education (SBE) already must do by statute. (p. 10, lines 16-19)
- Adds transparency to what non-academic data is collected by this information on the SBE website. (p. 10, lines 25-34). The information CAN be collected by modern educational technology. Will the legislature of Arizona allow it to be collected?
- Holds testing companies liable for violations of laws.
- Ensures contracts between testing companies and SBE or AZ Department of Ed (ADE) are transparent in revealing the types of data collected, date of return of data, date of destruction of data, and protection of data.
- Ensures the data is protected while in the hands of the testing companies.
- Places liability on testing companies, where it belongs. The testing companies are doing business in the state of Arizona, with the State of Arizona, and with Arizona's schoolchildren. A fair penalty and enforcement is required for true accountability.
- Are these penalties too severe? (\$250, \$500, \$1000 for repeated violations against an injured party). Other businesses are fined far more and shut down for minor violations. Businesses doing construction can be fined \$10K/day for dust. We're talking about our childrens' most personal and private information and companies should be held accountable to not collect what is not authorized, and vigilantly protect what is authorized.

Second, 2088 protects all student data.

- TRANSPARENCY: Protects students from having nontest data collected and stored unless approved in a public meeting and posted prominently on the SBE website. (p. 7, lines 32-35)
- ESTABLISHES PROCEDURE FOR DATA PROTECTION: Including dates data will be held, returned, and destroyed, no sales, sharing, or any other use not in the contract with ADE or BOE. (p. 7 line 37 – p. 8 line 7).
- Supports existing statute (A.R.S. 15-1043 and 15-1045). Does not replicate, weaken, or obfuscate existing statute.

Third, 2088 protects students from intrusive surveys without parental informed consent.

- This is happening now! Mesa Public Schools just instructed teachers to administer yet another survey: Panorama from researchers at Harvard. Online and "anonymous." (See handout.)
- Covers fourteen specific items of personal data that become a part of the pupil's permanent record.
- Consent form all fits on 1 page.
- Schools/districts have a chance to correct violations.
- Reduced penalties from original.

Respectfully submitted by Tracy Langston, 480.529.1123, herffie@yahoo.com

Panorama Survey by Harvard, parts given by Mesa Public Schools currently (Feb 2016)

Pedagogical Effectiveness

Perceptions of the quality of teaching and amount of learning students experience from a particular teacher.

6th-12th grade survey

How much does this teacher know about the topic of his/her class?

During class, how good is this teacher at making sure students do not get out of control?

How interesting does this teacher make what you are learning in class?

How often does this teacher give you feedback that helps you learn?

How good is this teacher at teaching in the way that you personally learn best?

How well can this teacher tell whether or not you understand a topic?

For this class, how clearly does this teacher present the information that you need to learn?

How comfortable are you asking this teacher questions about what you are learning in his/her class?

Overall, how much have you learned from this teacher about [INSERT SUBJECT MATTER]?

3rd-5th grade survey

During class, how good is this teacher at making sure students do not get out of control?

How interesting does this teacher make what you are learning in class?

How good is this teacher at teaching in the way that you learn best?

How well can this teacher tell whether or not you understand a topic?

How clearly does this teacher present the information that you need to learn?

How comfortable are you asking this teacher questions about what you are learning in his/her class?

How much have you learned from this teacher?

Classroom Climate

Perceptions of the overall social and learning climate of the classroom.

6th-12th grade survey

Item

How often does your teacher seem excited to be teaching your class?

How fair or unfair are the rules for the students in this class?

How pleasant or unpleasant is the physical space in this classroom?

How positive or negative is the energy of this class?

In this class, how much does the behavior of other students hurt or help your learning?

3rd-5th grade survey

Item

How often does your teacher seem excited to be teaching your class?

How fair or unfair are the rules in this class?

How positive or negative is the energy of this class?

In this class, how much does the behavior of other students hurt or help your learning?

Classroom Rigorous Expectations

How much students feel that a specific teacher holds them to high expectations around effort, understanding, persistence, and performance in class.

6th-12th grade survey

Item

How often does this teacher make you explain your answers?

When you feel like giving up on a difficult task, how likely is it that this teacher will make you keep trying?

How much does this teacher encourage you to do your best?

How often does this teacher take time to make sure you understand the material?

Overall, how high are this teacher's expectations of you?

3rd-5th grade survey

Item

How often does this teacher make you explain your answers?

When you feel like giving up, how likely is it that this teacher will make you keep trying?

How much does this teacher encourage you to do your best?

How often does this teacher take time to make sure you understand the material?

Overall, how high are this teacher's expectations of you?

Classroom Engagement

How attentive and invested students are in class.

6th-12th grade survey

Item

How excited are you about going to this class?

How often do you get so focused on class activities that you lose track of time?

In this class, how eager are you to participate?

When you are not in class, how often do you talk about ideas from class?

Overall, how interested are you in this class?

3rd-5th grade survey

Item

How excited are you about going to this class?

How focused are you on the activities in class?

In this class, how excited are you to participate?

When you are not in class, how often do you talk about ideas from class?

How interested are you in this class?

Classroom Teacher-Student Relationships

How strong the social connection is between teachers and students within and beyond the classroom.

6th-12th grade survey

Item

How respectful is this teacher towards you?

If you walked into class upset, how concerned would your teacher be?

If you came back to visit class three years from now, how excited would this teacher be to see you?

When your teacher asks how you are doing, how often do you feel that your teacher is really interested in your answer?

How excited would you be to have this teacher again?

3rd-5th grade survey

Item

How respectful is this teacher towards you?

If you walked into class upset, how concerned would your teacher be?

When your teacher asks, "How are you?", how often do you feel that your teacher really wants to know your answer?

How excited would you be to have this teacher again?

Classroom Belonging

How much students feel that they are valued members of the classroom community.

6th-12th grade survey

Item

How well do people in your class understand you as a person?

How connected do you feel to the teacher in this class?

How much respect do students in this class show you?

How much do you matter to others in this class?

Overall, how much do you feel like you belong in this class?

3rd-5th grade survey

Item

How well do people in your class understand you as a person?

How connected do you feel to the teacher in this class?

How much respect do students in this class show you?

Overall, how much do you feel like you belong in this class?

Valuing of Subject

How much students feel that an academic subject is interesting, important, and useful.

6th-12th grade survey

Item

How interesting do you find the things you learn in [SUBJECT] class?

How often do you use ideas from [SUBJECT] class in your daily life?
How important is it to you to do well in [SUBJECT] class?
How much do you see yourself as a/an [SUBJECT] person?
How useful do you think [SUBJECT] class will be to you in the future?

3rd-5th grade survey

Item

How interesting do you find the things you learn in [SUBJECT]?
How often do you use ideas from [SUBJECT] in your daily life?
How important is it to you to do well in [SUBJECT]?
How useful do you think [SUBJECT] will be to you in the future?

Classroom Learning Strategies

How well students deliberately use strategies to manage their own learning processes in class.

6th-12th grade survey

Item

When you get stuck while learning something new in this class, how likely are you to try a different strategy?
How confident are you that you can choose an effective strategy to get your work for this class done well?
Before you start on a challenging project in [SUBJECT] class, how often do you think about the best way to approach the project?
Overall, how well do your learning strategies help you learn [SUBJECT] more effectively?
In [SUBJECT] class, how often do you use strategies to learn more effectively?

3rd-5th grade survey

Item

When you get stuck while learning something new in this class, how likely are you to try it in a different way?
How sure are you that you can figure out a good way to get your work for this class done well?
Before you start on a challenging project in [SUBJECT] class, how often do you think about the best way to do it?
Overall, how well can you figure out how to learn things in [SUBJECT] class?

Classroom Mindset

Perceptions of whether students have the potential to change those factors that are central to their performance in class.

Item

Whether a person does well or poorly in [SUBJECT] may depend on a lot of different things. You may feel that some of these things are easier for you to change than others. In [SUBJECT], how possible is it for you to change:

Dispositional Mindset

Being talented

Liking the subject

Your level of intelligence

Behavioral Mindset

Putting forth a lot of effort

Behaving well in class

How easily you give up

3rd-5th grade survey

Item

Whether a person does well or poorly in [SUBJECT] may depend on a lot of different things. You may feel that some of these things are easier for you to change than others. In [SUBJECT], how possible is it for you to change:

Dispositional Mindset

Being talented

Liking the class

Your level of intelligence

Behavioral Mindset

Giving a lot of effort

Behaving well in class

How easily you give up

School Climate

Perceptions of the overall social and learning climate of the school.

6th-12th grade survey

Item

How often do your teachers seem excited to be teaching your classes?

How fair or unfair are the rules for the students at this school?

How pleasant or unpleasant is the physical space at your school?

How positive or negative is the energy of the school?

At your school, how much does the behavior of other students hurt or help your learning?

3rd-5th grade survey

Item

How often do your teachers seem excited to be teaching your classes?

How fair or unfair are the rules for the students at this school?

How positive or negative is the energy of the school?

At your school, how much does the behavior of other students hurt or help your learning?

Grit

Perceptions of how well students are able to persevere through setbacks to achieve important long-term goals.

6th-12th grade survey

Item

How often do you stay focused on the same goal for several months at a time?

If you fail to reach an important goal, how likely are you to try again?

When you are working on a project that matters a lot to you, how focused can you stay when there are lots of distractions?

If you have a problem while working towards an important goal, how well can you keep working?

Some people pursue some of their goals for a long time, and others change their goals frequently. Over the next several years, how likely are you to continue to pursue one of your current goals?

3rd-5th grade survey

Item

How often do you stay focused on the same goal for more than 3 months at a time?

If you fail at an important goal, how likely are you to try again?

When you are working on a project that matters a lot to you, how focused can you stay when there are lots of distractions?

If you have a problem while working towards an important goal, how well can you keep working?

School Safety

Perceptions of student physical and psychological safety while at school.

6th-12th grade survey

Item

How often are people disrespectful to others at your school?

How likely is it that someone from your school will bully you online?

How often do you worry about violence at your school?

At your school, how unfairly do the adults treat the students?

If a student is bullied in school, how difficult is it for him/her to get help from an adult?

How often do students get into physical fights at your school?

3rd-5th grade survey

Item

How often are people disrespectful to others at your school?

How likely is it that someone from your school will bully you online?

How often do you worry about violence at your school?

If a student is bullied in school, how difficult is it for him/her to get help from an adult?

How often do students get into physical fights at your school?

Additional Items - Free Responses

Open-ended questions about a variety of topics that may be of interest to many schools.

We have collected a small number of suggested open-ended questions for surveys about the classroom and teaching and the school. We encourage you to include a small number of free response options to get more general feedback from your survey-takers.

Suggested Items for Surveys about the Classroom and Teaching

If this teacher were to change one thing about his/her teaching, what should s/he change? Please be as specific as possible.

If this teacher were to make sure to keep doing one thing about his/her teaching, what should s/he keep doing? Please be as specific as possible.

What do you think is the biggest change this teacher could make to get along better with more of his/her students?

Please list 1-2 things that this teacher could do to improve the classroom overall.

Suggested Items for Surveys about the School

What is your best idea for how groups of people at this school could get along with each other better?

What goal are you most excited to achieve by the end of this school year?

What are two things that this school could do to improve? Please be as specific as possible.

What are two things that this school does well that it should continue to do? Please be as specific as possible.

Additional Free Responses about the Classroom and Teaching

Pedagogical Effectiveness

What is the one thing that this teacher does that you want all your teachers to do?

What is the one thing that this teacher could do to help the whole class learn more?

Classroom Climate

Please list 1-2 steps that the whole class could take to improve the climate of the classroom.

What are the 1-2 aspects of the classroom that make you feel least comfortable?

What is one thing that this teacher could do to improve student behavior?

Classroom Rigorous Expectations

What is one thing that this teacher does that makes you try particularly hard in class?

What is one thing that this teacher could do to make you try even harder in class?

What is one thing you could do to make yourself try even harder in class?

If you were the teacher of this class, what would you do to show your students that you have high expectations?

Classroom Engagement

What are the most engaging activities that happen in this class?

Which aspects of class have you found least engaging?

If you were teaching class, what is the one thing you would do to make it more engaging for all students?

How do you know when you are feeling engaged in class?

What projects/assignments/activities do you find most engaging in this class?

What does this teacher do to make this class engaging?

Classroom Teacher-Student Relationships

What changes could students make to get along better with this teacher?

What are two specific things that this teacher does that helps his/her relationships with students?

What is one thing that your teacher does that makes you feel like s/he understands you?

If you were the teacher of this class, what is one thing you would do to improve your relationships with your students?

Valuing of Subject

What is one thing that this teacher could do to help students care more about the content you are studying?

What is one reason that the content you learn in class is particularly important to you personally?

What is the one thing that you find most important to you about this class?

Additional Free Responses about the School

School Belonging

What is the biggest thing that gets in the way of people at this school getting along with each other better?

School Learning Strategies

If someone could teach you a strategy to help you improve on anything in school, what would this person teach you a strategy for?

Which of the strategies that you use seems to be the most effective for helping you succeed in school?

School Mindset

What is an example of a time when hard work has really paid off for you?

If you were to help a younger student realize that s/he could get a lot smarter if they put in enough effort, how would you help him/her realize this? What would you tell them?

School Mindset

What is an example of a time when hard work has really paid off for you?

If you were to help a younger student realize that s/he could get a lot smarter if they put in enough effort, how would you help him/her realize this? What would you tell them?

Grit

What goal are you most excited to achieve by the end of this school year?

What is the biggest barrier that stands between you and achieving this goal?

Please list a concrete strategy that you can use to overcome the barriers to reaching your most important goal.

School Safety

If you were principal, what is the one change you would make to the school to make it feel safer?

What is one thing that students could do at school to make it feel safer?

Background Questions

Demographic questions about survey-takers that could be included in the survey and may be of interest to many schools.

Item

What is your gender?

What is your race or ethnicity?

If you selected "Two or More Races/Ethnicities" or "Other," and would like to provide more of a description, please use the space below.

In which year were you born?

Please indicate the primary language you speak at home. (Please indicate only one.)

If you selected "Other/multiple languages," please describe what language(s) you speak currently in the space below.

What kinds of grades do you usually get?

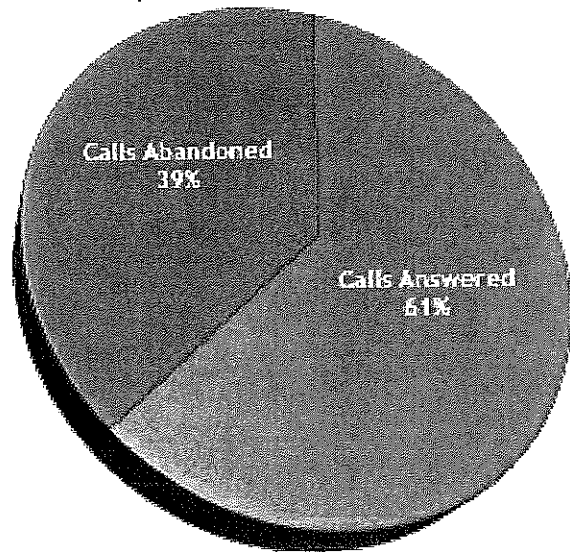
Certification Unit Phone Calls: July - December 2015

Executive Summary

July - December 2015

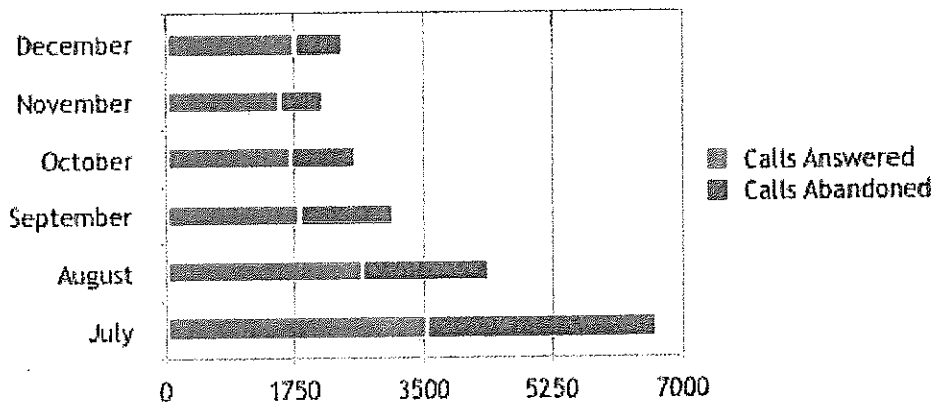
For the first half of Fiscal Year (FY) 2016:

- In-person customers were prioritized over phone, e-mail and mail-in applicants
- 39% of calls were abandoned by the caller
- 13% of abandoned calls were abandoned after 20 minutes or more of holding



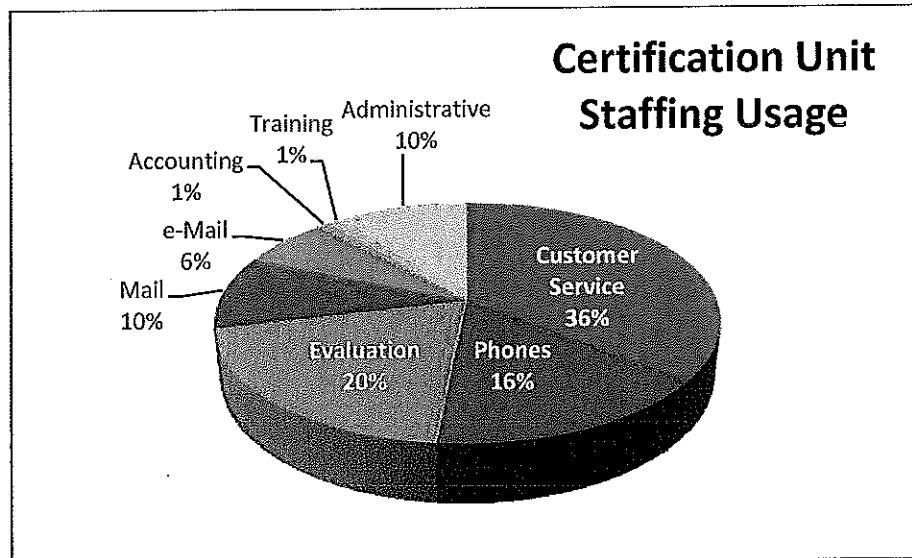
- Total calls ranged from a low of 2,152 in November to a peak of 6,641 in July.
- In July 54% of calls were answered and 65% of those were answered after 20 or more minutes of waiting.
- On average 39% of calls are abandoned and 13% of calls are abandoned after waiting 20 minutes or more.

July - December 2015 Total Calls



Certification Unit Staffing Utilization Executive Summary

- Phones, both the calls that come in from the queued phone system as well as two direct lines, are staffed by 16% of the unit or 2.1 FTE.
- 8 staff members are responsible for addressing phones, 7 of those have additional duties which include Customer Service (e.g. counter, on-site support, web site, web tools) and Evaluation.



Category Summary	FTE
Customer Service	4.7
Phones	2.1
Evaluation	2.6
Mail	1.3
e-Mail	0.9
Accounting	0.1
Training	0.2
Administrative	1.3
Total	13.0

Customer Service includes Customer Service Counter (Phoenix and Tucson), web site, and OACIS.

Phones includes the general certification queued line as well as two direct lines.

Evaluation includes all certification services for issuance not performed at the customer service counter such as transcript evaluation, communication with applicants during the evaluation process, denial and issuance.

Mail includes processing inbound and outbound physical mail.

e-Mail includes the Certification Inbox reading, research and responding.

Accounting includes depositing, refunding and non-sufficient funds.

Training includes internal training for certification staff, on-boarding and on-going.

Administrative includes procurement and travel accounting for the division, investigation support, and scanning for applicant documents for electronic filing.



EDUCATION COMMISSION
OF THE STATES
Your education policy team.

Response to information request

July 29, 2015
Jennifer Thomsen
jthomsen@ecs.org

This response was prepared for Ashley Berg, Executive Director of Policy Development and Government Relations, Arizona Department of Education

Your Question: You asked how often educators are required to renew their certification and how much certification and renewal costs in other states.

Our Response: The National Association of State Directors of Teacher Education and Certification (NASDTEC) maintains a number of certification reference tables, one of which provides the validity length of each type of certification in each state (see column E). You'll find the table here:
http://www.nasdtc.net/resource/collection/25B0DB08-EEEC-4850-8879-A470CAEC94B4/Table_1_Teaching_Certificates.xlsx.

The table below provides information on certification and recertification fees in a sampling of surrounding states. If you would like information on additional states' fees, please let us know. The state name is linked to the source of the information on each state's department of education website.

<u>California</u>	
Initial or Renewal	\$100
<u>Colorado</u>	
Initial or Renewal	\$80
<u>Idaho</u>	
Initial or Renewal	\$75
<u>Nevada</u>	
Initial License	\$161
Renewal	\$131
<u>New Mexico</u>	
Initial License	\$125
Renewal	\$95
<u>Oklahoma</u>	
Initial or Renewal	\$50
<u>Oregon</u>	
Initial or Renewal	\$100
<u>Texas</u>	
Initial	\$75
Renewal	\$20
<u>Utah</u>	
Initial – Utah Institutional Recommended	\$40
Renewal – Active Educators	\$40

Additional data & links

The Education Commission of the States website includes an [issue page](#) that provides information on certification and licensure, with sections on [What States are Doing](#), [Selected Research and Readings](#) and [Other Websites](#).

The National Association of State Directors of Teacher Education and Certification [website certification reference tables page](#) provides 50-state information on key topics in teacher certification.



HOUSE OF REPRESENTATIVES

HB 2687

appropriation; college entrance examinations

Prime Sponsor: Representative Carter, LD 15

X Committee on Education
 Committee on Appropriations
 Caucus and COW
 House Engrossed

OVERVIEW

HB 2687 appropriates \$3.1 million from the state General Fund (GF) to the Arizona Department of Education (ADE) for students in grade 11 to take a college entrance exam.

PROVISIONS

1. Appropriates \$3.1 million in Fiscal Year 2017 from the state GF to ADE to distribute to school districts and charter schools for funding the costs for each pupil in the grade 11 to take a nationally recognized college entrance exam.

CURRENT LAW

Not currently addressed in statute.

ARIZONA HOUSE OF REPRESENTATIVES

Committee Report

February 17, 2016

MR. SPEAKER:

Your COMMITTEE ON EDUCATION has had under consideration

HOUSE BILL 2687 and respectfully recommends:

it do pass

JOD



PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session


ROLL CALL VOTE

COMMITTEE ON _____ EDUCATION _____ BILL NO. HB 2687

DATE February 17, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Bolding		✓			
Mr. Coleman		✓			
Mrs. Norgaard		✓			
Ms. Otondo		✓			
Mr. Thorpe		✓			
Mr. Lawrence, Vice-Chairman					✓
Mr. Boyer, Chairman		✓			
		6	0	0	1

APPROVED:


PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2665

charter schools; preference; foster children
Prime Sponsor: Representative Allen J, LD 15

X Committee on Education
Committee on Appropriations
Caucus and COW
House Engrossed

OVERVIEW

HB 2665 establishes the Foster Youth Education Success Program (Program).

PROVISIONS

1. Requires charter schools to give enrollment preference to children in foster care or who meet the definition of unaccompanied youth and requires school districts to give preference to children in foster care.
2. Establishes the Program in the Governor's Office
3. Establishes the Foster Youth Education Success Fund (Fund) consisting of appropriated monies and monies received from lawful public or private sources.
 - a. Directs the Governor's Office to administer the Fund.
 - b. Determines monies in the Fund to be continuously appropriated and not revert to the state General Fund.
 - c. Permits the Governor's Office to accept and spend local, state and federal monies and private grants, gifts, devises and contributions.
4. Instructs the Governor's Office to establish policies and procedures, selection criteria and minimum performance standards for service providers that wish to participate in the Program.
5. Requires a selected service provider to contract with a 501(c)(3) nonprofit organization that provides the following programmatic components:
 - a. A partnership with local agencies, child welfare and judicial agencies to implement a continuous cycle of data-driven interventions for children in foster care.
 - b. Identification and support of an education champion who is informed of the rights and responsibilities of children in foster care paired with an education coach to increase capacity to support educational success.
 - c. Development and monitoring of an education team.
 - d. A customized education plan for each child in foster care based on individual strengths and needs that uses a research-based tool.
6. Requires a selected service provider to annually submit a report by December 15 to the Governor, President of the Senate and Speaker of the House of Representatives and submit a copy to the Secretary of State that includes an evaluation of the effectiveness of the Program, demographic information and academic outcomes.

7. Sunsets the Program on July 1, 2026.
8. Appropriates \$1 million in Fiscal Year (FY) 2017 from the GF to the Governor's Office to be deposited in the Fund.
9. Appropriates \$500,000 in FY 2017 from the GF to the Governor's Office to be deposited in Fund and to be spent when matching monies from sources other than the state are deposited in the Fund.
10. Permits monies from public sources other than the state, gifts, grants and donations to be spent as they are collected and requires the Governor's Office to report the accounting of the Program to the Joint Legislative Budget Committee to determine qualifications for state match.
11. Determines the GF appropriations to be non-lapsing.

CURRENT LAW

The McKinney-Vento Homeless Assistance Act is a federal law to ensure that homeless youth have equal access to education and other services in order for the children to meet state student academic achievement standards and provides federal money to states for homeless shelters and programs. *Unaccompanied youth* is defined in the McKinney-Vento Homeless Assistance Act to include a youth not in the physical custody of a parent or guardian.

Currently charter schools are required to enroll all eligible students unless the number of applicants exceeds capacity (A.R.S. § 15-184). If there is not enough capacity left to enroll students, the charter is required to select through an equitable selection process such as a lottery. Enrollment preference is automatically granted to students returning to the school as well as siblings of students selected through the lottery process. Preference may also be given to children or grandchildren of school employees, charter holder employees, members of the governing body or administrators of the charter holder. School districts are permitted, for open enrollment purposes, to give enrollment preference to and reserve capacity students who are children of employees of the school district (A.R.S. § 15-816.01).

ARIZONA HOUSE OF REPRESENTATIVES

Committee Report

February 17, 2016

MR. SPEAKER:

Your COMMITTEE ON EDUCATION has had under consideration

HOUSE BILL 2665 and respectfully recommends:

it do pass

JOD



PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON _____ EDUCATION _____ BILL NO. HB 2665

DATE February 17, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Bolding		✓			
Mr. Coleman		✓			
Mrs. Norgaard		✓			
Ms. Otondo		✓			
Mr. Thorpe		✓			
Mr. Lawrence, Vice-Chairman					✓
Mr. Boyer, Chairman		✓			
		6	0	0	1

APPROVED:

Paul Boyer
PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

Jackie O'Brien
COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2548

postsecondary campuses; public forums; activities

Prime Sponsor: Representative Boyer, LD 20

X Committee on Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2548 determines outdoor areas of universities and community colleges to be traditional public forums, establishes requirements for traditional public forums and prescribes penalties for violations.

Summary of the Proposed Strike-Everything Amendment to HB 2548

The proposed strike-everything amendment to HB 2548 prescribes penalties for a university or community college unlawfully restricting a student's right to speak.

PROVISIONS

1. Specifies that a *public forum* includes both a traditional public forum and a designated public forum.
2. Permits the Attorney General or a person whose expressive rights were violated to bring action in a court of competent jurisdiction for violations of statutory public postsecondary institution free speech requirements.
 - a. Specifies that actions brought are to enjoin violations or recover compensatory damages, reasonable court costs and reasonable attorney fees.
3. Requires the court, on a finding of a violation, to award the aggrieved person at least \$500 for the initial violation and \$50 per day the violation remains ongoing, plus reasonable court costs and attorney fees.
4. Requires action to be brought within one year of the cause of action.
 - a. Determines each day the violation persists or the policy in violation remains to constitute a new violation and is considered a day that the cause of action has accrued.
5. Makes technical changes.

CURRENT LAW

Universities and community colleges are prohibited from restricting a student's right to speak, including holding a sign or distributing materials, in a public forum (A.R.S. § 15-1864). The only circumstances in which a public postsecondary institution may restrict a student's speech in a public forum is if the restriction is both in furtherance of a compelling governmental interest and is the least restrictive means of furthering the compelling governmental interest.

A *public forum* is defined in A.R.S. § 15-1861 to include any open, outdoor area on the campus of a university or community college and any facilities, buildings or parts of buildings that have been opened to students or student organizations for expression.

ARIZONA HOUSE OF REPRESENTATIVES

Committee Report

February 17, 2016

MR. SPEAKER:

Your COMMITTEE ON EDUCATION has had under consideration


HOUSE BILL 2548 and respectfully recommends:

it be amended as follows:

(SEE ATTACHED)

and, as so amended it do pass

JOD



PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2548

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 15-1861, Arizona Revised Statutes, is amended to
3 read:

4 15-1861. Definitions

5 In this article, unless the context otherwise requires:

6 1. "Community college" has the same meaning prescribed in section
7 15-1401.

8 2. "Public forum" includes BOTH A TRADITIONAL PUBLIC FORUM, WHICH IS
9 any open, outdoor area on the campus of a university or community college,
10 and A DESIGNATED PUBLIC FORUM, WHICH IS any ~~facilities, buildings~~ FACILITY,
11 BUILDING or ~~parts~~ PART of ~~buildings~~ A BUILDING that the university or
12 community college has opened to students or student organizations for
13 expression.

14 3. "University" means a university under the jurisdiction of the
15 Arizona board of regents.

16 Sec. 2. Section 15-1864, Arizona Revised Statutes, is amended to read:

17 15-1864. Students' right to speak in a public forum; court
18 actions

19 A. A university or community college shall not restrict a student's
20 right to speak, including verbal speech, holding a sign or distributing
21 fliers or other materials, in a public forum.

22 B. A university or community college may restrict a student's speech
23 in a public forum only if it demonstrates that application of the burden to
24 the student is both:

25 1. In furtherance of a compelling governmental interest. Attachment 16

Adopted <input checked="" type="checkbox"/>	# of Verbals <u> </u>
Failed <u> </u>	Withdrawn <u> </u>
Not Offered <u> </u>	Analysts Initials <u> </u>

1 2. The least restrictive means of furthering that compelling
2 governmental interest.

3 C. THE FOLLOWING PERSONS MAY BRING AN ACTION IN A COURT OF COMPETENT
4 JURISDICTION TO ENJOIN ANY VIOLATION OF THIS SECTION OR TO RECOVER
5 COMPENSATORY DAMAGES, REASONABLE COURT COSTS AND REASONABLE ATTORNEY FEES:

6 1. THE ATTORNEY GENERAL.

7 2. A PERSON WHOSE EXPRESSIVE RIGHTS WERE VIOLATED BY A VIOLATION OF
8 THIS SECTION.

9 D. IN AN ACTION BROUGHT UNDER SUBSECTION C OF THIS SECTION, IF THE
10 COURT FINDS THAT A VIOLATION OF THIS SECTION OCCURRED, THE COURT SHALL AWARD
11 THE AGGRIEVED PERSON AT LEAST FIVE HUNDRED DOLLARS FOR THE INITIAL VIOLATION,
12 PLUS FIFTY DOLLARS FOR EACH DAY THE VIOLATION REMAINS ONGOING, AND SHALL
13 AWARD REASONABLE COURT COSTS AND REASONABLE ATTORNEY FEES.

14 E. A PERSON SHALL BRING AN ACTION FOR A VIOLATION OF THIS SECTION
15 WITHIN ONE YEAR AFTER THE DATE THE CAUSE OF ACTION ACCRUES. FOR THE PURPOSE
16 OF CALCULATING THE ONE-YEAR LIMITATION PERIOD, EACH DAY THAT THE VIOLATION
17 PERSISTS OR EACH DAY THAT A POLICY IN VIOLATION OF THIS SECTION REMAINS IN
18 EFFECT CONSTITUTES A NEW VIOLATION OF THIS SECTION AND SHALL BE CONSIDERED A
19 DAY THAT THE CAUSE OF ACTION HAS ACCRUED."

20 Amend title to conform

PAUL BOYER

2548pb.doc
02/08/2016
10:31 AM
C: tdb

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON _____ EDUCATION _____ BILL NO. HB 2548

DATE February 17, 2016 MOTION: OPPOSE

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Bolding		✓			
Mr. Coleman		✓			
Mrs. Norgaard		✓			
Ms. Otondo		✓			
Mr. Thorpe		✓			
Mr. Lawrence, Vice-Chairman		✓			
Mr. Boyer, Chairman		✓			
		7	0	0	0

APPROVED:

Paul Boyer
PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

Jacob O'Donnell
COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2029

small school districts; high schools

Prime Sponsor: Representative Borrelli, LD 5

X Committee on Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2029 increases the student count limitation for high schools to use the small school adjustment.

PROVISIONS

1. Increases the student count cap, from 100 to 125, for a small high school district to utilize the small school adjustment.
2. Makes technical changes.

CURRENT LAW

School districts use a per student statutory funding formula to annually determine the district's budget capacity. High school districts with a student count of 100 or less are permitted to adopt a budget in excess of the general budget limit without an override election and revise the budget to include the costs for additional students not anticipated when the budget was adopted (A.R.S. § 15-949). These provisions are named the small school adjustment.

ARIZONA HOUSE OF REPRESENTATIVES

Committee Report

February 17, 2016


MR. SPEAKER:

Your COMMITTEE ON EDUCATION has had under consideration

HOUSE BILL 2029 and respectfully recommends:

it do pass

JOD



PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON _____ EDUCATION _____ BILL NO. HB 2029

DATE February 17, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Bolding		✓			
Mr. Coleman		✓			
Mrs. Norgaard		✓			
Ms. Otondo		✓			
Mr. Thorpe		✓			
Mr. Lawrence, Vice-Chairman		✓			
Mr. Boyer, Chairman		✓			
		7	0	0	0

APPROVED _____

PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

Jackie O'Donnell
COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2088

schools; assessments; surveys; informed consent
Prime Sponsor: Representative Finchem, et al., LD 11

X Committee on Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2088 prohibits public schools from administering specified assessments or surveys to students without notifying and obtaining written informed consent from parents and prescribes penalties for violations.

PROVISIONS

1. Requires all schools, school districts and charter schools to provide written notice and obtain written informed consent from parents, or the student if the student is over 18, before administering any assessment or survey soliciting:
 - a. Any pupil psychological data including:
 - i. An assessment of noncognitive skills or attributes, psychological resources, mindsets, learning strategies, effortful control, dispositions, social skills, attitudes, interpersonal or intrapersonal resources or other social, emotional or psychological parameters
 - ii. Data collected through affective computing, facial expressions, brain wave patterns, skin conductance, galvanic skin response, heartrate variability, pulse, blood volume, posture or eye-tracking
 - iii. Data collected through real-time analysis and adaptive tailoring of successive questions in the process of testing, including adaptive testing and pedagogical agents.
 - iv. Data collected through predictive modeling to be used to detect behaviors, beliefs or value systems or to forecast student outcomes
 - b. Personal information about the student, the student's family or the student's household including:
 - i. Critical appraisals of another person the student has a close relationship with
 - ii. Gun or ammunition ownership
 - iii. Illegal, antisocial, self-incriminating or demeaning behavior
 - iv. Income or other financial information
 - v. Legally recognized privileged or analogous relationships
 - vi. Medical history or information
 - vii. Mental health history or information
 - viii. Political affiliations, opinions or beliefs
 - ix. Biometric information
 - x. Quality of home interpersonal relationships
 - xi. Religious practices, affiliations or beliefs
 - xii. Self-sufficiency
 - xiii. Sexual behavior or attitudes
 - xiv. Voting history

2. Limits a parent's written informed consent to the specific assessment or survey in the official written notice from the school district or charter school.
3. Requires consent only from the student, if the student is over 18.
4. Prohibits school districts, charter schools, schools, teachers or other school employees from assessing or surveying students or collecting student data on specified items without obtaining written informed consent from the parent.
5. States that schools, school districts, charter schools, teachers or school employees are not permitted or denied the ability to assess or survey students or collect student data.
6. Requires all applicable assessments and surveys to be approved and authorized by the school, school district or charter school.
7. Determines a school, school district or charter school to be liable for violations and subject to penalties and permits injured persons to commence civil action in superior court.
8. Prohibits teachers or school employees from administering applicable surveys or assessments without written authorization from the school, school district or charter school.
9. Determines teachers to be personally liable for violations and subject to penalties.
10. Determines teachers or other employees who administer an applicable assessment or survey through a substitute teacher, paraprofessional or other school employee without written authorization from the school, school district or charter school to be responsible for violations and permits injured persons to commence civil action in superior court.
11. Applies requirements to all applicable assessments and surveys regardless of the stated purpose or quantity of questions that solicit applicable data, including assessments or surveys that question beliefs or practices in sex, morality or religion, sex education, sexuality, written digital or verbal assessments or any other method of assessment or data collection and national, state or multistate assessments or surveys.
12. Exempts private schools, mental health screenings, assignments that do not become part of a student's record and classroom instruction and discussion on subjects within the purview of the course, excluding topics prohibited without parental notification and consent, if the student's statements do not become a part of the student's educational record.
13. States that teachers or school employees are not permitted or denied the authority to discuss applicable information with students or give assignments relating to applicable matters.
14. Prohibits penalties from being imposed on a student or a parent that does not participate in applicable assessments or surveys.
15. Prohibits participation in an applicable assessment or survey from being required to:
 - a. Demonstrate that a student has met competency requirements for any grade level, course or subject
 - b. Qualify for placement into any grade level, course or subject including college or university placement tests
 - c. Promote a student to the next grade
 - d. Receive credit for any course or as part of a letter grade
 - e. Graduate from high school
 - f. Obtain a high school equivalency diploma

- g. Participate in any course, program or activity offered to students who participate in the applicable assessment or survey
- 16. Allows a parent to elect in writing for their student to participate in applicable assessments or surveys.
- 17. Permits a parent to not respond to a written notice provided by the school district or charter school and determines those parents to have not consented to the assessment or survey.
- 18. Requires schools, school districts and charter schools to provide an alternative educational activity for students whose parents do not consent to participation in an applicable assessment or survey.
- 19. Requires students participating in alternative educational activities to be counted towards attendance and Average Daily Membership and prohibits those students from being counted absent.
- 20. Prohibits applicable assessment or survey responses from being included:
 - a. As part of a school academic performance indicator or similar rating system
 - b. In the Education Learning and Accountability System or similar system
 - c. In the Student Accountability Information System or similar system
 - d. In any school rating system
- 21. Prohibits penalties or rewards for teachers, administrators, school employees, schools, school districts or charter schools based on the student participation rate in applicable assessments or surveys.
- 22. Requires parents, on request, to be provided free of charge, the conducted assessment or survey including the questions asked, student's answers, directions given to the student and other supplementary materials used to administer and evaluate the student's assessment or survey.
- 23. Requires applicable assessments to be available for parental review after the results have been posted or within 120 days after the administration of the assessment or survey, whichever occurs first.
- 24. Directs schools, school districts and charter schools to comply with parental requests within 45 days after the request is submitted.
- 25. Directs the Superintendent of Public Instruction to implement procedures to carry out the parental request procedures.
- 26. Requires written notice by school districts and charter schools to be printed in at least 10 point font and:
 - a. Include the name of the school, school district or charter school that approved the assessment or survey, the name of the assessment or survey, the dates of administration, the method of collecting data, a statement of whether the collected data will be electronically transmitted from the computer or the location of administration, the approximate time the assessment will be administered for, the type of data collected, the reasons for data collection and a statement that the parent's written informed consent is limited to the specific assessment or survey referenced in the notice.
 - b. Require on the right side of the paper the parent's initials to affirmatively acknowledge:
 - i. Participation is voluntary and written parental consent required before the student participates in the assessment or survey

- ii. Students who do not participate will be provided an alternative educational activity
 - iii. Penalties will not be imposed against students or parents who do not participate
 - iv. Parents may request and be provided free of charge any data collected from the student
 - v. The procedure by which the parent may request and be provided the data collected from the student
 - vi. Whether the student's personally identifiable data will be aggregated by the removal of the student's personally identifiable information
 - vii. The names of the federal and state agencies, institutions and third parties that have access to collected data, whether the parties will keep the data private or share it with other parties and whether the parties will destroy the data when the student is no longer serviced by the school, school district or charter school or when the student reaches 18
 - c. Require and clearly provide space for the student's and parent's names, the parent's signature and the date of the signature.
 - d. Be invalid without all required information on the notice.
 - e. Be retained in physical or electronic form by the school district or charter schools for two years following the date of the assessment or survey.
27. Determines any school, school district or charter school that fails to comply with any requirements to be liable for the following damages to the injured party for individual action:
- a. For the first violation, at least \$500 plus the costs of the action and reasonable attorney fees
 - b. For the second violation involving the same student, at least \$2,500 plus the costs of the action and reasonable attorney fees
 - c. For a third or subsequent violation involving the same student, at least \$10,000 plus the costs of the action and reasonable attorney fees
28. Permits the court or jury to award punitive damages in addition to prescribed penalties.
29. Determines each violation to be considered a separate violation if it involves a different assessment or survey or a different version or administration of the same assessment or survey.
30. Permits the injured party to commence civil action in superior court or request the Attorney General (AG) to commence civil action on their behalf.
31. Requires the AG to respond within 30 days of a request to commence civil action.
- a. Permits an injured party to proceed with civil action if the AG denies the request for representation.
32. Requires the proceeds from monetary awards to be paid to the injured party.
33. Requires damages to be assessed and paid in the case of an admission of guilt or a settlement before a formal conviction of a first or second violation.
34. Determines teachers or other employees who fail to comply with requirements to be liable for the following amounts in an individual action:
- a. For the first violation, \$100 plus the costs of the action and reasonable attorney fees
 - b. For the second violation, \$250 plus the costs of the action and reasonable attorney fees
35. Requires, on conviction of a second violation, by a teacher or school employee, the clerk of superior court to notify the Arizona State Board of Education (SBE).

HB 2088

- a. Directs SBE to declare the teacher or employee guilty of unprofessional conduct and permanently revoke the teacher's certificate.
 - b. Requires the teacher or employee to be terminated from employment and prohibited from future state employment.
36. Permits the court or jury to award punitive damages in addition to prescribed penalties.
 37. Determines conviction of a violation involving one or more incidents to be considered a second violation if the subsequent incidents occur after the teacher or employee has been found guilty of a first violation or damages have been awarded.
 38. Permits the injured party to commence civil action in superior court or request the AG to commence civil action on their behalf.
 39. Requires the AG to respond within 30 days of a request to commence civil action.
 - a. Permits an injured party to proceed with civil action if the AG denies the request for representation.
 40. Requires the proceeds from judicial awards to go to the injured party.
 41. Requires damages and penalties to be assessed and paid in the case of an admission of guilt or a settlement before a formal conviction of a first or second violation.
 42. Prohibits any statute, rule, regulation, legal opinion or case law from precluding criminal prosecution of a teacher or employee who is guilty of violating requirements.
 43. Determines that the requirements do not preclude multiple individual actions, concurrently or otherwise, against the same teacher or employee.
 44. Defines terms.
 45. Permits this act to be cited as the "Pupil and Teacher Protection Act."

CURRENT LAW

A.R.S. § 15-102 requires governing boards, in consultation with parents, teachers and administrators, to develop and adopt policies regarding parental involvement in school. Included in those policies are requirements to adopt procedures to allow parents who object to learning material or activities due to harmful material to withdraw their children from the activity, procedures for parents to learn about and review the course of study and supplemental educational materials and procedures for parents to learn about their rights and responsibilities under the laws of the state.

ARIZONA HOUSE OF REPRESENTATIVES

Committee Report

February 17, 2016

MR. SPEAKER:

Your COMMITTEE ON EDUCATION has had under consideration

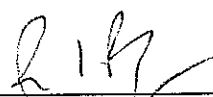
HOUSE BILL 2088 and respectfully recommends:

it be amended as follows:

(SEE ATTACHED)

and, as so amended it do pass

JOD



PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

Attachment 22

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2088

(Reference to printed bill)

1 Page 1, between lines 1 and 2, insert:

2 "Section 1. Section 15-101, Arizona Revised Statutes, is amended to
3 read:

4 15-101. Definitions

5 In this title, unless the context otherwise requires:

6 1. "Accommodation school" means either:

7 (a) A school that is operated through the county board of supervisors
8 and the county school superintendent and that the county school
9 superintendent administers to serve a military reservation or territory that
10 is not included within the boundaries of a school district.

11 (b) A school that provides educational services to homeless children
12 or alternative education programs as provided in section 15-308,
13 subsection B.

14 (c) A school that is established to serve a military reservation, the
15 boundaries of which are coterminous with the boundaries of the military
16 reservation on which the school is located.

17 2. "Assessed valuation" means the valuation derived by applying the
18 applicable percentage as provided in title 42, chapter 15, article 1 to the
19 full cash value or limited property value, whichever is applicable, of the
20 property.

21 3. "Charter holder" means a person that enters into a charter with the
22 state board for charter schools. For the purposes of this paragraph,
23 "person" means an individual, partnership, corporation, association or public
24 or private organization of any kind.

25 4. "Charter school" means a public school established by contract with
26 a district governing board, the state board of education, the state board for
27 charter schools, a university under the jurisdiction of the Arizona board of
28 regents, a community college district with enrollment of more than fifteen

1 thousand full-time equivalent students or a group of community college
2 districts with a combined enrollment of more than fifteen thousand full-time
3 equivalent students pursuant to article 8 of this chapter to provide learning
4 that will improve pupil achievement.

5 5. "Child with a disability" means a child with a disability as
6 defined in section 15-761.

7 6. "Class A bonds" means general obligation bonds approved by a vote
8 of the qualified electors of a school district at an election held on or
9 before December 31, 1998.

10 7. "Class B bonds" means general obligation bonds approved by a vote
11 of the qualified electors of a school district at an election held from and
12 after December 31, 1998.

13 8. "Competency" means a demonstrated ability in a skill at a specified
14 performance level.

15 9. "Course" means organized subject matter in which instruction is
16 offered within a given period of time and for which credit toward promotion,
17 graduation or certification is usually given. A course consists of knowledge
18 selected from a subject for instructional purposes in the schools.

19 10. "Course of study" means a list of required and optional subjects to
20 be taught in the schools.

21 11. "Dual enrollment course" means a ~~college-level~~ COLLEGE-LEVEL course
22 that is conducted on the campus of a high school or on the campus of a joint
23 technical education district, that is applicable to an established community
24 college academic degree or certificate program and that is transferable to a
25 university under the jurisdiction of the Arizona board of regents. A dual
26 enrollment course that is applicable to a community college occupational
27 degree or certificate program may be transferable to a university under the
28 jurisdiction of the Arizona board of regents.

29 12. "Elementary grades" means kindergarten programs and grades one
30 through eight.

31 13. "Fiscal year" means the year beginning July 1 and ending June 30.

32 14. "Governing board" means a body organized for the government and
33 management of the schools within a school district or a county school
34 superintendent in the conduct of an accommodation school.

35 15. "Lease" means an agreement for conveyance and possession of real or
36 personal property.

37 16. "Limited property value" means the value determined pursuant to
38 title 42, chapter 13, article 7. Limited property value shall be used as the
39 basis for assessing, fixing, determining and levying primary property taxes.

1 17. "NONTEST" MEANS NOT RELATING TO KNOWLEDGE OR SKILLS IN READING,
2 WRITING, MATHEMATICS, SOCIAL STUDIES OR SCIENCE.

3 ~~17.~~ 18. "Parent" means the natural or adoptive parent of a child or a
4 person who has custody of a child.

5 ~~18.~~ 19. "Person who has custody" means a parent or legal guardian of a
6 child, a person to whom custody of the child has been given by order of a
7 court or a person who stands in loco parentis to the child.

8 ~~19.~~ 20. "Primary property taxes" means all ad valorem taxes except for
9 secondary property taxes.

10 ~~20.~~ 21. "Private school" means a nonpublic institution where
11 instruction is imparted.

12 ~~21.~~ 22. "School" or "public school" means any public institution
13 established for the purposes of offering instruction to pupils in programs
14 for preschool children with disabilities, kindergarten programs or any
15 combination of elementary grades or secondary grades one through twelve.

16 ~~22.~~ 23. "School district" means a political subdivision of this state
17 with geographic boundaries organized for the purpose of the administration,
18 support and maintenance of the public schools or an accommodation school.

19 ~~23.~~ 24. "Secondary grades" means grades nine through twelve.

20 ~~24.~~ 25. "Secondary property taxes" means ad valorem taxes used to pay
21 the principal of and the interest and redemption charges on any bonded
22 indebtedness or other lawful long-term obligation issued or incurred for a
23 specific purpose by a school district or a community college district and
24 amounts levied pursuant to an election to exceed a budget, expenditure or tax
25 limitation.

26 ~~25.~~ 26. "Subject" means a division or field of organized knowledge,
27 such as English or mathematics, or a selection from an organized body of
28 knowledge for a course or teaching unit, such as the English novel or
29 elementary algebra."

30 Renumber to conform

31 Page 1, line 9, strike "IF THE PUPIL IS A MINOR OR FROM THE PUPIL IF THE"

32 Line 10, strike "PUPIL IS AT LEAST EIGHTEEN YEARS OF AGE"

33 Line 11, strike "ASSESSMENT OR"; after "THAT" insert "BECOMES A PART OF THE
34 PUPIL'S PERMANENT EDUCATION RECORD AND THAT"; strike "ANY OF THE FOLLOWING:"

35 Strike lines 12-26

36 Line 27, strike "2."

37 Line 28, after "INCLUDING" insert "SURVEYS REGARDING ANY OF THE FOLLOWING"

38 Line 29, strike "(a)" insert "1."

House Amendments to H.B. 2088

- 1 Line 31, strike "(b)" insert "2."
- 2 Line 32, strike "(c)" insert "3."
- 3 Line 33, strike "(d)" insert "4."
- 4 Line 34, strike "(e)" insert "5."
- 5 Line 36, strike "(f)" insert "6."
- 6 Line 37, strike "(g)" insert "7."
- 7 Line 38, strike "(h)" insert "8."
- 8 Line 39, strike "(i)" insert "9."
- 9 Line 40, strike "(j)" insert "10."
- 10 Line 41, strike "(k)" insert "11."
- 11 Line 42, strike "(l)" insert "12."
- 12 Line 43, strike "(m)" insert "13."
- 13 Line 44, strike "(n)" insert "14."
- 14 Page 2, line 3, strike "ASSESSMENT OR"
- 15 Line 4, after "DISTRICT" insert ", SCHOOL"
- 16 Line 5, strike "ASSESSMENT OR"
- 17 Line 11, strike "ASSESS OR"
- 18 Strike lines 14 through 18
- 19 Reletter to conform
- 20 Line 19, strike "1." insert "4."; strike "ASSESSMENTS AND"
- 21 Line 22, strike "PARAGRAPH" insert "SECTION"
- 22 Line 23, strike "P" insert "L"
- 23 Line 25, strike "2." insert "5."
- 24 Line 26, strike "ASSESSMENT OR"
- 25 Line 27, strike "ANY"
- 26 Strike lines 28 through 36
- 27 Line 37, strike "ASSESSMENTS AND"
- 28 Line 39, strike "THE ASSESSMENT"
- 29 Strike lines 42 through 45
- 30 Page 3, strike lines 1 and 2
- 31 Renumber to conform
- 32 Line 3, strike "ASSESSMENTS OR"

House Amendments to H.B. 2088

- 1 Line 4, strike "ASSESSMENT,"
- 2 Line 7, after "15-104" insert "OR THE IDENTIFICATION OF OR PROGRAMMING FOR
- 3 CHILDREN WITH DISABILITIES OR GIFTED PUPILS"
- 4 Line 8, strike "CLASSROOM" insert "CLASS"; strike "AND" insert a comma; after
- 5 "DISCUSSION" insert "OR ASSIGNMENTS"
- 6 Line 9, after the comma strike remainder of line
- 7 Line 10, strike "NOTIFICATION AND INFORMED CONSENT PURSUANT TO THIS SECTION,";
- 8 after "IF" insert "WRITTEN OR SPOKEN"
- 9 Line 11, strike "IN SUCH DISCUSSIONS"
- 10 Strike lines 13 through 15
- 11 Renumber to conform
- 12 Strike lines 17 through 19
- 13 Reletter to conform
- 14 Lines 21, 23 and 35, strike "ASSESSMENT OR"
- 15 Line 38, strike "ASSESSMENTS OR"
- 16 Lines 40 and 42, after "DISTRICT" insert ", SCHOOL"
- 17 Line 44, strike "ASSESSMENT OR"
- 18 Page 4, line 3, strike "AN ASSESSMENT OR" insert "A"
- 19 Lines 6 and 11, strike "ASSESSMENT OR"
- 20 Line 19, after "SCHOOL" insert ", ADMINISTRATOR OR TEACHER"
- 21 Line 22, strike "ASSESSMENT OR"
- 22 Strike Lines 24 through 34
- 23 Reletter to conform
- 24 Line 35, after "DISTRICT" insert ", SCHOOL"
- 25 Line 36, strike "TEN-POINT" insert "TWELVE-POINT"
- 26 Lines 39, 40 and 43, strike "ASSESSMENT OR"
- 27 Page 5, lines 2, 4, 9, 11, 14, 16, 17, 19 and 21, strike "ASSESSMENT OR"
- 28 Strike lines 22 through 25
- 29 Reletter to conform
- 30 Line 27, strike "ASSESSMENT OR"; after "BE" insert "ANONYMOUS,"; after
- 31 "AGGREGATED" strike remainder of line
- 32 Strike line 28, insert "AND DE-IDENTIFIED."

House Amendments to H.B. 2088

- 1 Lines 30 and 31, strike "ASSESSMENT OR"
- 2 Line 41, strike "ASSESSMENT OR"
- 3 Page 6, line 5, strike "FIVE" insert "TWO"
- 4 Line 6, after "HUNDRED" insert "FIFTY"
- 5 Line 8, strike "TWO THOUSAND"
- 6 Line 11, strike "TEN" insert "ONE"
- 7 Line 17, strike "ASSESSMENT OR"; strike the comma; strike "IT" insert "THE
- 8 VIOLATION"
- 9 Line 18, strike "ASSESSMENT OR"
- 10 Between lines 31 and 32, insert:
- 11 "8. ANY SCHOOL DISTRICT, CHARTER SCHOOL OR SCHOOL THAT FAILS TO COMPLY
- 12 WITH ANY REQUIREMENT OF THIS SECTION WITH RESPECT TO ANY INDIVIDUAL SHALL
- 13 HAVE THE OPPORTUNITY TO CURE THE FAILURE TO COMPLY WITHIN A REASONABLE PERIOD
- 14 OF TIME AND WITHOUT PENALTY."
- 15 Strike lines 32 through 45
- 16 Page 7, strike lines 1 through 33
- 17 Reletter to conform
- 18 Strike lines 35 through 41
- 19 Renumber to conform
- 20 Strike line 43
- 21 Page 8, strike lines 1 through 5
- 22 Renumber to conform
- 23 Strike lines 10 through 25
- 24 Renumber to conform

Strike lines 28 through 38, insert:

"4. "PERMANENT EDUCATIONAL RECORD" MEANS INFORMATION THAT IS KEPT ABOUT A STUDENT IN A PHYSICAL OR DIGITAL FORMAT AFTER THE END OF THE SCHOOLYEAR AND THAT MAY BE IN THE POSSESSION OF THE PUPIL'S SCHOOL, CHARTER SCHOOL OR SCHOOL DISTRICT, AN ELECTED OR APPOINTED GOVERNMENT OFFICIAL, A GOVERNMENT AGENCY OR ANY THIRD-PARTY. PERMANENT EDUCATION RECORD DOES NOT INCLUDE AN ASSIGNMENT IN THE POSSESSION OF A TEACHER WHILE IT IS BEING GRADED."

Renumber to conform

Page 9, strike lines 1 through 8, insert:

"Sec. 3. Section 15-249, Arizona Revised Statutes, is amended to read:
15-249. Department of education; education learning and accountability system; reports; reviews

A. Subject to THE appropriation of state monies, ~~or THE receipt of federal monies~~, private donations or grants from any lawful public or private source for this purpose, the department of education, in coordination with the data governance commission established by section 15-249.01, shall develop and implement the education learning and accountability system to collect, compile, maintain and report student level data for students attending public educational institutions that provide instruction to pupils in preschool programs, kindergarten programs, grades one through twelve and postsecondary educational programs in this state.

B. The education learning and accountability system shall:

1. Maintain longitudinal, student level data, including student demographic, grade level, assessment, teacher assignment and other data required to meet state and federal reporting requirements.

2. Incorporate the student accountability information system prescribed in chapter 9, article 8 of this title.

3. Be accessible through commonly used internet web browsers to carry out the data collection, compilation and reporting duties prescribed in this title.

C. STUDENT LEVEL NONTEST DATA IS PROHIBITED FROM INCLUSION IN LONGITUDINAL, STUDENT LEVEL DATA UNLESS APPROVED IN A PUBLIC MEETING OF THE STATE BOARD OF EDUCATION AND LINKED ON THE STATE BOARD'S HOME PAGE PURSUANT TO SECTION 15-741, SUBSECTION A, PARAGRAPH 7.

~~E.~~ D. The department of education may contract with a third party to carry out the purposes of this section. ANY CONTRACT UNDER THIS SUBSECTION

1 SHALL STATE THE DATE THAT THE DATA IS TO BE RETURNED TO THE DEPARTMENT OF
2 EDUCATION AND DESTROYED BY THE THIRD-PARTY CONTRACTOR. THE THIRD-PARTY
3 CONTRACTOR MAY NOT SHARE OR SELL STUDENT DATA OR USE STUDENT DATA IN ANY WAY
4 THAT IS NOT STATED IN THE CONTRACT WITH THE DEPARTMENT. THE THIRD-PARTY
5 CONTRACTOR SHALL CERTIFY UNDER OATH THAT THE PUPIL DATA COLLECTED UNDER THE
6 CONTRACT HAS BEEN DESTROYED PURSUANT TO THE CONTRACT. THE THIRD-PARTY
7 CONTRACTOR IS LIABLE FOR ANY VIOLATION OF THIS SUBSECTION.

8 ~~Ø~~ E. The department of education, in coordination with the data
9 governance commission, shall develop a detailed plan to develop and implement
10 the education learning and accountability system.

11 ~~E~~ F. The department of education shall present the plan developed
12 pursuant to subsection ~~Ø~~ E of this section to the state board of education
13 for review and approval. The department of education shall continue to
14 provide quarterly reports to the state board of education, or on request, for
15 review and approval of the state board of education, on the development and
16 implementation of the education learning and accountability system. All
17 reports provided shall include progress and expenditures to date, timelines
18 and cost estimates for completion.

19 ~~F~~ G. Any contract awarded pursuant to subsection ~~Ø~~ D of this
20 section shall allow the superintendent of public instruction to renew the
21 contracts for two subsequent periods of not more than three years each and
22 shall prescribe the circumstances under which the superintendent of public
23 instruction may terminate the contracts. The contracts shall allow this
24 state to cancel any contract at any time after the first year of operation,
25 without penalty to this state, on ninety days' written notice and shall
26 require the contractor to be in compliance at all times with state and
27 federal law.

28 ~~Ø~~ H. Any contract awarded pursuant to subsection ~~Ø~~ D of this
29 section may provide for annual contract price or cost adjustments, except
30 that any adjustments may be made only once each year effective on the
31 anniversary of the contract's effective date. Any adjustment made pursuant
32 to the terms of the contract must be applied to the total payments made to
33 the contractor for the previous contract year and shall not exceed the
34 percentage change in the average consumer price index as published by the
35 United States department of labor, bureau of labor statistics between that
36 figure for the latest calendar year and the next previous calendar year. Any
37 price or cost adjustments that are different than those authorized in this
38 subsection may be made only if the legislature specifically authorizes the
39 adjustments and appropriates monies for that purpose, if required.

1 ~~H.~~ I. The superintendent of public instruction shall not award a
2 contract pursuant to this section unless:

3 1. The superintendent of public instruction receives an acceptable
4 proposal pursuant to any request for proposals. For the purposes of this
5 paragraph, "acceptable proposal" means a proposal that substantially meets
6 all of the requirements or conditions prescribed in this section and in the
7 request for proposals.

8 2. The proposal offers a level and quality of services that equal or
9 exceed the services that would be provided by this state.

10 3. The contractor provides audited financial statements for the
11 previous five years, or for each year that the contractor has been in
12 operation if fewer than five years, and provides other financial information
13 as requested.

14 ~~I.~~ J. The sovereign immunity of this state does not apply to any
15 contractor who is a party to any contract pursuant to this section. The
16 contractor or any agent of the contractor may not plead the defense of
17 sovereign immunity in any action arising out of the performance of the
18 contract.

19 ~~J.~~ K. The terms of any contract pursuant to this section are subject
20 to review by the joint legislative budget committee before placement of any
21 advertisement that solicits a response to a request for proposals. Any
22 proposed modification or amendment to the contract is subject to prior review
23 by the joint legislative budget committee.

24 ~~K.~~ L. During the first year of operation under a contract executed
25 pursuant to this section, the contracting entity shall submit monthly reports
26 to the department of education as prescribed by the department. After the
27 first year of operation under the contract, the contracting entity shall
28 submit quarterly reports to the department as prescribed by the department.

29 ~~L.~~ M. At the end of the second year of a contract executed pursuant
30 to this section, an independent evaluator selected by the superintendent of
31 public instruction shall conduct and complete a performance review to
32 determine if the contracting entity has met the goals specified in the
33 contract. The independent evaluator shall submit a report of the independent
34 evaluator's findings to the governor, the president of the senate and the
35 speaker of the house of representatives on or before May 1, and shall provide
36 a copy of this report to the secretary of state.

37 Sec. 4. Section 15-741, Arizona Revised Statutes, is amended to read:
38 15-741. Assessment of pupils

39 A. The state board of education shall:

1 1. Adopt rules for purposes of this article pursuant to title 41,
2 chapter 6.

3 2. Adopt and implement an Arizona instrument to measure standards test
4 to measure pupil achievement of the state board adopted academic standards in
5 reading, writing and mathematics in at least four grades designated by the
6 board. The board shall determine the manner of implementation. The board
7 may administer assessments of the academic standards in social studies and
8 science, except that a pupil shall not be required to meet or exceed the
9 social studies or science standards measured by the Arizona instrument to
10 measure standards test.

11 3. Ensure that the tests prescribed in this section are uniform
12 throughout the state.

13 4. Ensure that the tests prescribed in this section are able to be
14 scored in an objective manner and that the tests are not intended to advocate
15 any sectarian, partisan or denominational viewpoint.

16 5. ENSURE THAT THE TESTS PRESCRIBED IN THIS ARTICLE COLLECT ONLY TYPES
17 OF PUPIL NONTEST DATA THAT ARE APPROVED BY THE STATE BOARD OF EDUCATION AT A
18 PUBLIC MEETING AND PUBLISHED ON THE WEBSITE OF THE STATE BOARD OF EDUCATION
19 PURSUANT TO PARAGRAPH 7 OF THIS SUBSECTION.

20 ~~5-~~ 6. Include within its budget all costs pertaining to the tests
21 prescribed in this article. If sufficient monies are appropriated, the state
22 board may provide achievement test services to school districts that request
23 assistance in testing pupils in grades additional to those required by this
24 section.

25 ~~6-~~ 7. Survey teachers, principals and superintendents on achievement
26 related nontest indicators, including information on graduation rates by
27 ethnicity and dropout rates by ethnicity for each grade level. Before the
28 survey, the state board of education shall approve at a public meeting the
29 nontest indicators on which data will be collected AND SHALL POST IN A
30 PROMINENT POSITION ON THE HOME PAGE OF THE STATE BOARD'S WEBSITE A LINK TO
31 THE NONTEST INDICATORS ENTITLED "WHAT NONACADEMIC DATA DOES THE STATE OF
32 ARIZONA COLLECT ABOUT ARIZONA PUPILS?". THE LINKED WEB PAGE SHALL STATE THE
33 TYPES OF DATA COLLECTED, THE REASONS FOR THE COLLECTION OF THE DATA AND THE
34 ENTITIES WITH WHICH THE DATA IS SHARED. In conducting the survey and
35 collecting data, the state board of education shall not violate the
36 provisions of the family educational rights and privacy act (P.L. 93-380), as
37 amended, nor disclose personally identifiable information.

38 ~~7-~~ 8. Establish a fair and consistent method and standard by which
39 test scores from schools in a district may be evaluated taking into
40 consideration demographic data. The board shall establish intervention

1 strategies to assist schools with scores below the acceptable standard. The
2 board shall annually review district and school scores and shall offer
3 assistance to school districts in analyzing data and implementing
4 intervention strategies. The board shall use the adopted test and methods of
5 data evaluation for a period of at least ten years.

6 ~~8.~~ 9. Participate in other assessments that provide national
7 comparisons as needed.

8 B. The achievement tests adopted by the state board as provided in
9 subsection A of this section shall be given at least annually. Nontest
10 indicator data and other information shall be collected at the same time as
11 the collection of achievement test data.

12 C. Local school district governing boards shall:

13 1. Administer the tests prescribed in subsection A of this section.

14 2. Survey teachers, principals and superintendents on achievement
15 related nontest indicator data as required by the state board, including
16 information related to district graduation and dropout rates. In conducting
17 the survey and collecting data, the governing board shall not violate the
18 provisions of the family educational rights and privacy act (P.L. 93-380), as
19 amended, nor disclose personally identifiable information.

20 D. Any additional assessments for high school pupils that are adopted
21 by the state board of education after November 24, 2009 shall be designed to
22 measure college and career readiness of pupils.

23 E. A test for penmanship shall not be required pursuant to this
24 article.

25 Sec. 5. Title 15, chapter 7, article 3, Arizona Revised Statutes, is
26 amended by adding section 15-744, to read:

27 15-744. Third-party assessment contracts; requirements;
28 penalties

29 A. NOTWITHSTANDING ANY OTHER LAW:

30 1. A THIRD-PARTY ASSESSMENT CONTRACTOR ASSUMES ALL RESPONSIBILITY FOR
31 ANY VIOLATION OF STATE, FEDERAL OR LOCAL LAW, WHETHER THE VIOLATION WAS
32 INTENTIONAL OR UNINTENTIONAL OR WAS ASSOCIATED WITH THE USE OF ANY ASSESSMENT
33 INSTRUMENT OFFERED BY THE THIRD PARTY.

34 2. ANY CONTRACT ENTERED INTO BETWEEN THE STATE BOARD OF EDUCATION OR
35 THE DEPARTMENT OF EDUCATION AND ANY THIRD-PARTY ASSESSMENT CONTRACTOR SHALL
36 SPECIFY:

37 (a) THE TYPES OF PUPIL LEVEL NONTES DATA THE THIRD-PARTY ASSESSMENT
38 CONTRACTOR WILL COLLECT.

39 (b) THE DATE THAT ALL PUPIL LEVEL DATA WILL BE DELIVERED TO THE STATE
40 BOARD OF EDUCATION OR THE DEPARTMENT OF EDUCATION AND DESTROYED BY THE

1 THIRD-PARTY ASSESSMENT CONTRACTOR. THIS DATE SHALL BE WITHIN ONE HUNDRED
2 EIGHTY DAYS AFTER THE COLLECTION OF THE DATA.

3 3. ANY THIRD-PARTY ASSESSMENT CONTRACTOR THAT CONTRACTS WITH THE STATE
4 BOARD OF EDUCATION OR THE DEPARTMENT OF EDUCATION, OR BOTH, IS PROHIBITED
5 FROM:

6 (a) SOLICITING OR COLLECTING PUPIL NONTEST DATA UNLESS THAT DATA IS
7 APPROVED IN A PUBLIC MEETING OF THE STATE BOARD OF EDUCATION AND LINKED ON
8 THE STATE BOARD'S HOME PAGE PURSUANT TO SECTION 15-741, SUBSECTION A,
9 PARAGRAPH 7.

10 (b) USING PUPIL DATA FOR RESEARCH OR ANY OTHER PURPOSE NOT STATED IN
11 THE CONTRACT WITH THE STATE BOARD OF EDUCATION OR THE DEPARTMENT OF EDUCATION
12 DURING THE TIME THE THIRD-PARTY ASSESSMENT CONTRACTOR POSSESSES THE DATA.

13 (c) SELLING PUPIL DATA.

14 (d) KEEPING OR STORING ANY PUPIL DATA AFTER THE CONTRACTUAL DATE THE
15 DATA IS TO BE RETURNED TO THE STATE BOARD OF EDUCATION OR THE DEPARTMENT OF
16 EDUCATION AND DESTROYED BY THE THIRD-PARTY ASSESSMENT CONTRACTOR.

17 4. ANY THIRD-PARTY ASSESSMENT CONTRACTOR THAT CONTRACTS WITH THE STATE
18 BOARD OF EDUCATION OR THE DEPARTMENT OF EDUCATION, OR BOTH, SHALL CERTIFY
19 UNDER OATH THAT THE PUPIL DATA COLLECTED UNDER THE CONTRACT HAS BEEN
20 DESTROYED PURSUANT TO THE CONTRACT.

21 5. THE THIRD-PARTY ASSESSMENT CONTRACTOR IS LIABLE FOR ANY VIOLATION
22 OF THIS SUBSECTION AND IS SUBJECT TO THE PENALTIES PRESCRIBED IN SUBSECTION B
23 OF THIS SECTION. A PERSON WHO IS INJURED BY A VIOLATION OF THIS SECTION MAY
24 COMMENCE A CIVIL ACTION IN SUPERIOR COURT.

25 B. NOTWITHSTANDING ANY OTHER LAW:

26 1. ANY THIRD-PARTY ASSESSMENT CONTRACTOR THAT FAILS TO COMPLY WITH ANY
27 REQUIREMENT OF THIS SECTION WITH RESPECT TO ANY INDIVIDUAL SHALL BE LIABLE
28 FOR DAMAGES TO THE INJURED PARTY IN THE AMOUNT DETERMINED UNDER PARAGRAPH 2
29 OF THIS SUBSECTION.

30 2. FOR AN INDIVIDUAL ACTION, THE SUM AWARDED FOR LIABILITY UNDER
31 PARAGRAPH 1 OF THIS SUBSECTION SHALL BE:

32 (a) IN THE CASE OF A FIRST VIOLATION, AN AMOUNT OF AT LEAST TWO
33 HUNDRED FIFTY DOLLARS PLUS THE COSTS OF THE ACTION AND REASONABLE ATTORNEY
34 FEES.

35 (b) IN THE CASE OF A SECOND VIOLATION INVOLVING THE SAME PUPIL, AN
36 AMOUNT OF AT LEAST FIVE HUNDRED DOLLARS PLUS THE COSTS OF THE ACTION AND
37 REASONABLE ATTORNEY FEES.

38 (c) IN THE CASE OF A THIRD OR ANY SUBSEQUENT VIOLATION INVOLVING THE
39 SAME PUPIL, AN AMOUNT OF AT LEAST ONE THOUSAND DOLLARS PLUS THE COSTS OF THE
40 ACTION AND REASONABLE ATTORNEY FEES.

1 3. THE COURT OR THE JURY MAY AWARD PUNITIVE DAMAGES IN ADDITION TO
2 THOSE SET FORTH IN PARAGRAPH 2 OF THIS SUBSECTION.

3 4. FOR THE PURPOSES OF THIS SUBSECTION, EACH VIOLATION OF THIS SECTION
4 SHALL BE CONSIDERED A SEPARATE VIOLATION IF THE VIOLATION INVOLVES A
5 DIFFERENT CONTRACT OR ADMINISTRATION OF AN ASSESSMENT.

6 5. THE INJURED PARTY OR PARTIES MAY COMMENCE A CIVIL ACTION IN
7 SUPERIOR COURT PURSUANT TO THIS SECTION OR THE PARTY OR PARTIES MAY REQUEST
8 THE ATTORNEY GENERAL TO COMMENCE A CIVIL ACTION ON THEIR BEHALF PURSUANT TO
9 THIS SECTION. ON REQUEST FROM THE INJURED PARTY OR PARTIES, THE ATTORNEY
10 GENERAL SHALL RESPOND TO THE REQUEST WITHIN THIRTY DAYS. IF THE ATTORNEY
11 GENERAL DENIES THE REQUEST FOR CIVIL ACTION, THE INJURED PARTY OR PARTIES MAY
12 PROCEED WITH A CIVIL ACTION.

13 6. THE PROCEEDS FROM ANY MONETARY AWARD UNDER THIS SUBSECTION SHALL BE
14 PAID TO THE INJURED PARTY OR PARTIES.

15 7. IN THE CASE OF AN ADMISSION OF GUILT OR A SETTLEMENT BEFORE A
16 FORMAL CONVICTION OF A FIRST OR SECOND VIOLATION, DAMAGES SHALL BE ASSESSED
17 AND PAID PURSUANT TO THIS SUBSECTION."

18 Amend title to conform

JAY LAWRENCE

2088LAWRENCE2
02/16/2016
12:45 PM
H: AW/rca

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON _____ EDUCATION _____ BILL NO. HB 2088

DATE February 17, 2016 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Bolding				✓	
Mr. Coleman		✓			
Mrs. Norgaard		✓			
Ms. Otondo			✓		
Mr. Thorpe		✓			
Mr. Lawrence, Vice-Chairman		✓			
Mr. Boyer, Chairman		✓			
		5	1	1	0

APPROVED:

Paul Boyer
PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

Jackie O'Donnell
COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2620

education; certification renewal fees

Prime Sponsor: Representative Coleman, LD 16

X Committee on Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2620 eliminates the fee amount that the State Board of Education (SBE) may charge for specified items.

PROVISIONS

1. Eliminates the statutory dollar amount that SBE may charge for the renewal of any certificate, name changes, duplicates or changes of coding to existing files or certificates.
2. Specifies that SBE may fix and collect fees for the evaluation of certificates, name changes, duplicates or changes of coding to existing files or certificates.
3. Makes technical changes.

CURRENT LAW

A.R.S. § 15-531 permits SBE to fix and collect the following fees:

- a. For the issuance and evaluation of teaching, administrative or other subject certificates, between \$20 and \$30.
- b. For the renewal of any certificate, name changes, duplicates or changes of coding to existing files or certificates, between \$10 and \$20.
- c. For the administration and evaluation of the Constitutions of the United States and Arizona exam, no more than the fees assessed by the test publisher.
- d. For the administration and evaluation for the proficiency exam for teaching certificate applicants, no more than the fees assessed by the test publisher.

When collecting the fees described above, the Arizona Department of Education (ADE) may impose convenience fees on a per transaction basis for debit, credit or other electronic payments. ADE is also required to continue to except payments that are not subject to a convenience fee.

ARIZONA HOUSE OF REPRESENTATIVES

Committee Report

February 17, 2016

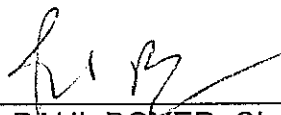
MR. SPEAKER:

Your COMMITTEE ON EDUCATION has had under consideration

HOUSE BILL 2620 and respectfully recommends:

it do pass

JOD



PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

Attachment 26

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON EDUCATION BILL NO. HB 2620

DATE February 17, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Bolding		✓			
Mr. Coleman		✓			
Mrs. Norgaard		✓			
Ms. Otondo		✓			
Mr. Thorpe		✓			
Mr. Lawrence, Vice-Chairman		✓			
Mr. Boyer, Chairman		✓			
		7	0	0	0

APPROVED:

Paul Boyer
PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

Jackie O'Donnell
COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2653

K-3 reading program; administration

Prime Sponsor: Representative Norgaard, et al., LD 18

X Committee on Education
Committee on Appropriations
Caucus and COW
House Engrossed

OVERVIEW

HB 2653 modifies the administration of the K-3 Reading Program.

PROVISIONS

1. Requires the Arizona Department of Education (ADE) to administer the K-3 Reading Program, rather than the Arizona State Board of Education (SBE).
2. Requires each eligible school district and charter school to submit its K-3 reading education plan to ADE rather than all school districts and charter schools.
3. Permits *A* and *B* school districts and charter schools to biennially submit K-3 Reading Program plans to ADE, beginning in Fiscal Year 2017.
4. Requires ADE to review and recommend for approval K-3 Reading Program plans prior to the school district or charter school receiving K-3 Reading monies.
5. Permits SBE to establish rules and policies for the K-3 Reading Program including:
 - a. The proper use of monies.
 - b. The distribution of monies by ADE.
 - c. The compliance of reading proficiency plans.
6. Contains an emergency clause.
7. Makes technical and conforming changes.

CURRENT LAW

A.R.S. § 15-211 requires SBE, in collaboration with ADE, to establish a K-3 Reading Program to improve reading proficiency in grades K-3. School districts and charter schools are required to submit an education plan to SBE for improving reading proficiency in grades K-3 that must include baseline data and a budget for spending monies from the K-3 Reading Support Level weight and K-3 Support Level Weight. Additionally, school districts and charter schools are required to annually submit an updated plan by October 1 on program expenditures and results. Each school district and charter school that it assigned a letter grade of *C*, *D* or *F* or has more than 10% of grade 3 students falling far below the third grade reading level on the statewide assessment is eligible to receive K-3 Reading Support Level Weight monies after its plan is approved by SBE.

ARIZONA HOUSE OF REPRESENTATIVES

Committee Report

February 17, 2016

MR. SPEAKER:

Your COMMITTEE ON EDUCATION has had under consideration

HOUSE BILL 2653 and respectfully recommends:

it do pass

JOD



PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON _____ EDUCATION _____ BILL NO. HB 2653

DATE February 17, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Bolding		✓			
Mr. Coleman		✓			
Mrs. Norgaard		✓			
Ms. Otondo		✓			
Mr. Thorpe		✓			
Mr. Lawrence, Vice-Chairman		✓			
Mr. Boyer, Chairman		✓			
		7	0	0	0

APPROVED:

by B
PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

Jackie O'Donnell
COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2551

schools; bonds; overrides; funding sources

Prime Sponsor: Representative Lawrence, LD 23

W/D Committee on Elections

X Committee on Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2551 requires school district bond and override election informational materials to include a statement of the total amount of per pupil funding received by a school district.

PROVISIONS

1. Requires school district budget override election informational reports and bond election publicity pamphlets to include the total amount of funds the school district received from state, local and federal funding sources per pupil for the Fiscal Year.
2. Makes technical changes.

CURRENT LAW

A.R.S. § 15-481 requires a school district governing board to order an override election if a proposed school district budget exceeds the aggregate limit for the budget year. Within 40 days of the election, the county school superintendent is required to prepare and provide an informational report on the proposed increase to the budget to the voters within the school district which includes:

- The total amount of the current year's budget, the total amount of the proposed budget and the total amount of the alternate budget.
- The length of time of the override and the percent of the school district's Revenue Control Limit that the district is requesting.
- The total amount of revenues to fund the increase that derives from a property tax levy in the school district.
- The dollar amount and purpose for the proposed budget increase.

A.R.S. § 15-491 outlines the procedures for a school district bond initiative. The school district governing board or the voters are authorized to call for an election to locate or change the location of school buildings, purchase or sell school sites or buildings or to build school buildings. Within 35 days of the election, the school district governing board is required to provide a publicity pamphlet to the voters that includes:

- A summary of the school district's most recent submitted capital plan.
- A list of each proposed capital improvement that will be funded with bond proceeds.
- A description of the proposed cost of each improvement.
- The tax rate associated with each of the proposed capital improvements.

ARIZONA HOUSE OF REPRESENTATIVES

Committee Report

February 17, 2016

MR. SPEAKER:

Your COMMITTEE ON EDUCATION has had under consideration

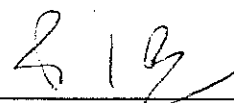
HOUSE BILL 2551 and respectfully recommends:

it be amended as follows:

(SEE ATTACHED)

and, as so amended it do pass

JOD



PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

Attachment 32

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2551

(Reference to printed bill)

- 1 Page 2, line 31, after the period strike remainder of line
2 Strike line 32
3 Line 33, strike "identified as statements of the author's opinion." insert "EACH
4 PERSON WHO SUBMITS AN ARGUMENT ON THE PERSON'S OWN BEHALF OR ON BEHALF OF AN
5 ENTITY SHALL SIGN A SWORN STATEMENT CONFIRMING THAT PERSON'S IDENTITY. IF
6 THE COUNTY SCHOOL SUPERINTENDENT DETERMINES THAT THE PERSON'S IDENTITY IS
7 FALSE, THE COUNTY SCHOOL SUPERINTENDENT IS AUTHORIZED TO REMOVE THE IMPROPER
8 ARGUMENT FROM THE INFORMATIONAL REPORT AFTER PROVIDING NOTICE TO THE PERSON
9 WHO SUBMITTED THE ARGUMENT AND MAY REPLACE IT WITH THE NEXT ARGUMENT
10 SUBMITTED, IF ANY."
11 Amend title to conform

JAY LAWRENCE

2551LAWRENCE2
02/16/2016
12:14 PM
H: AW/rca

2551WP.doc*
02/12/2016
11:51 AM
C: myr

Attachment 33

Adopted <input checked="" type="checkbox"/>	# of Verbals <input type="checkbox"/>
Failed <input type="checkbox"/>	Withdrawn <input type="checkbox"/>
Not Offered <input type="checkbox"/>	Analysts Initials <input type="checkbox"/>

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2551

(Reference to printed bill)

- 1 Page 3, line 27, after "IN" insert "VOLUME II OF"
- 2 Line 28, after "REPORT" insert "OR SUCCESSOR DOCUMENT"
- 3 Between lines 30 and 31, insert:
 - 4 "14. ANY ADDITIONAL PER PUPIL REVENUE OR PER PUPIL EXPENDITURE
 - 5 INFORMATION THE GOVERNING BOARD CHOOSES TO PROVIDE."
- 6 Page 17, line 32, after "IN" insert "VOLUME II OF"
- 7 Line 33, after "REPORT" insert "OR SUCCESSOR DOCUMENT"
- 8 Between lines 35 and 36, insert:
 - 9 "(e) ANY ADDITIONAL PER PUPIL REVENUE OR PER PUPIL EXPENDITURE
 - 10 INFORMATION THE GOVERNING BOARD CHOOSES TO PROVIDE."
- 11 Amend title to conform

JAY LAWRENCE

2551LAWRENCE
02/15/2016
06:58 PM
H: AW/sc/rca

Attachment 34

Adopted <input checked="" type="checkbox"/>	# of Verbals <input type="text"/>
Failed <input type="text"/>	Withdrawn <input type="text"/>
Not Offered <input type="text"/>	Analysts Initials <input type="text"/>

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON _____ EDUCATION _____ BILL NO. HB 2551

DATE February 17, 2016 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Bolding			✓		
Mr. Coleman			✓		
Mrs. Norgaard		✓			
Ms. Otondo			✓		
Mr. Thorpe		✓			
Mr. Lawrence, Vice-Chairman		✓			
Mr. Boyer, Chairman		✓			
		4	3	0	0

APPROVED:

Paul Boyer
PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

Jackie Chan
COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2685

tax credit; early childhood education

Prime Sponsor: Representative Bolding, LD 27

X Committee on Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2685 modifies the State Block Grant for Early Childhood Education Program (Program) and establishes an individual and corporate income tax credit for contributions to the Program.

PROVISIONS

State Block Grant for Early Childhood Education Program

1. Transfers the Program from the Arizona State Board of Education (SBE) to the Arizona Department of Education (ADE).
 - a. Determines the Program to consist of appropriated monies and tax credit contributions.
2. Removes the ability for the Program to include programs that serve K-3 students.
3. Requires programs for disadvantaged children to be provide to ages 3-5.
4. Modifies the Program to apply to charter school and school district students who are ages 3-5 and whose family income is less than 133% of the federal poverty level.
5. Removes requirements for schools with an Average Daily Membership (ADM) over 600.
6. Requires school districts and charter schools that devote monies to preschool programs to ensure that program funding only supplements and does not supplant existing program capacity.
7. Requires ADE to pay the grants to participating providers and schools based on necessary information provided by successful applicants.
8. Prohibits grants from exceeding \$150,000 per year to a single provider or school.
9. Determines any provider that receives a block grant to be subject to oversight by ADE as necessary.
10. Requires ADE to adopt written policies, procedures and guidelines.
11. Permits ADE to use up to 2% of the monies received each year to administer the Program.

Individual Tax Credit

12. Establishes an individual income tax credit for contributions to ADE for the Program, beginning in FY 2016.
13. Limits the credit to \$200 for a single individual or head of household or \$400 for a married couple filing jointly.
14. Directs married couples filing separately to each claim only one-half of the credit.

15. Determines the credit to be in lieu of any deduction taken.
16. Permits a taxpayer to carry the unused amount of credit forward up to five consecutive years if the credit exceeds taxes due.
17. Permits a contribution made by April 15 to be applied to the current or previous taxable year.

Corporate Tax Credit

18. Establishes a corporate income tax credit for contributions to ADE for the Program, beginning in FY 2016.
19. Prohibits the Arizona Department of Revenue (DOR) from allowing tax credits to annually exceed \$10 million in aggregate.
20. Requires DOR to preapprove tax credit amounts and allow credits to be claimed on a first-come, first-served basis.
21. Requires taxpayers to notify ADE of the total contribution amount prior to making the contribution and requires ADE to request preapproval for the amount from DOR.
22. Directs DOR to approve or deny the request within 20 days.
23. Directs ADE to immediately notify the taxpayer if DOR preapproves the request and requires the taxpayer to make the contribution within 20 days.
24. Stipulates that if ADE does not receive the preapproved contribution within the timeframe it must immediately notify DOR and DOR will exclude the contribution when calculating the aggregate limit.
25. Permits unused amounts of the tax credit to be carried forward up to five years.
26. Permits co-owners of a business to each claim only the pro-rata share of the credit based on ownership interest and prohibits the total amount claimed from exceeding the amount that is allowed for a sole owner.
27. Determines the credit to be in lieu of any deduction.

Miscellaneous

28. Subjects both tax credits to Joint Legislative Income Tax Credit Review Committee review.
29. States the purpose.
30. Contains a retroactive effective date of January 1, 2016.

CURRENT LAW

A.R.S. § 15-1251 establishes the Program in SBE to promote improved pupil achievement by providing flexible supplemental funding for early childhood programs including preschool programs for economically disadvantaged children and programs that serve public school students in K-3 programs. Funding is allocated based on the number of students in grades K-3 who were eligible for free and reduced lunches under the National School Lunch and Child Nutrition Act. School districts and charter schools with an ADM over 600 are required to have participated in the free and reduced lunch program in the prior fiscal year to be eligible for Program funding.

ARIZONA HOUSE OF REPRESENTATIVES

Committee Report

February 17, 2016

MR. SPEAKER:

Your COMMITTEE ON EDUCATION has had under consideration


HOUSE BILL 2685 and respectfully recommends:

it be amended as follows:

(SEE ATTACHED)

and, as so amended it do pass

JOD



PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2685

(Reference to printed bill)

- 1 Page 1, line 42, after the second "school" insert "OR A FEDERALLY FUNDED OR PRIVATE
2 CHILD CARE PROVIDER"
3 Page 2, line 2, strike "OR" insert a comma
4 Line 3, after "SCHOOL" insert "OR FEDERALLY FUNDED OR PRIVATE CHILD CARE
5 PROVIDER"
6 Line 11, after "be" insert "ALL OF THE FOLLOWING:
7 (a)"; strike "and" insert a period
8 Line 12, after "be" insert:
9 "(b)"; strike "state board" insert "DEPARTMENT"
10 Between lines 14 and 15, insert:
11 "(c) RATED ACCORDING TO A QUALITY INDICATOR APPROVED BY THE DEPARTMENT
12 OF EDUCATION."
13 Line 41, after "SCHOOLS" insert ", OR TO QUALIFYING FAMILIES,"
14 Line 43, after "SCHOOL" insert "OR SIX THOUSAND FIVE HUNDRED DOLLARS PER CHILD
15 TO COVER EARLY CHILDHOOD EDUCATION COSTS"
16 Page 3, line 5, after the period insert "THE DEPARTMENT SHALL ESTABLISH AN
17 ACCOUNTABILITY SYSTEM TO ENSURE THAT GRANT MONIES ARE USED TO CARRY OUT THE
18 EARLY CHILDHOOD EDUCATION PROGRAM PURSUANT TO THIS SECTION."
19 Line 6, strike "TWO" insert "FIVE"
20 Amend title to conform

REGINALD BOLDING JR.

2685rb1
02/16/2016
10:34 AM
C: dmt

Attachment 38

Adopted <input checked="" type="checkbox"/>	# of Verbals <input type="checkbox"/>
Failed <input type="checkbox"/>	Withdrawn <input type="checkbox"/>
Not Offered <input type="checkbox"/>	Analysts Initials <input type="checkbox"/>

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON _____ EDUCATION _____ BILL NO. HB 2685

DATE February 17, 2016 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Bolding		✓			
Mr. Coleman		✓			
Mrs. Norgaard		✓			
Ms. Otondo			✓		
Mr. Thorpe		✓			
Mr. Lawrence, Vice-Chairman		✓			
Mr. Boyer, Chairman		✓			
		6	1	0	0

APPROVED:

Paul Boyer
PAUL BOYER, Chairman
JAY LAWRENCE, Vice-Chairman

Jackie O'Donnell
COMMITTEE SECRETARY

ATTACHMENT _____

ARIZONA STATE LEGISLATURE

Fifty-second Legislature - Second Regular Session

COMMITTEE ATTENDANCE RECORD

COMMITTEE ON EDUCATION

CHAIRMAN: Paul Boyer VICE-CHAIRMAN: Jay Lawrence

DATE	2/17/16	/16	/16	/16	/16
CONVENED	4:30pm	m	m	m	m
RECESSED					
RECONVENED					
ADJOURNED	8:25pm				
MEMBERS					
Mr. Bolding	✓				
Mr. Coleman	✓				
Mrs. Norgaard	✓				
Ms. Otondo	✓				
Mr. Thorpe	✓				
Mr. Lawrence, Vice-Chairman	✓				
Mr. Boyer, Chairman	✓				

√ Present --- Absent exc Excused